ENVIRONMENTAL INTEGRITY PROJECT

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December 16, 2015

Copy sent by ARK

David S. Ferriero
Archivist of the United States
National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20704

Via Certified Mail – Return Receipt Requested

Re: Notice of Intent to Sue National Archives and Records Administration for Clean Water Act Violations at the National Archives Facility, 8601 Adelphi Road, College Park, Maryland 20740, NPDES Permit No. MD0065871, State Discharge Permit No. 09-DP-2904

Dear Archivist Ferriero,

We write on behalf of the Anacostia Riverkeeper (ARK) and its members to provide notice of ARK's intent to sue the National Archives and Records Administration (NARA) for significant and ongoing violations of the Clean Water Act (CWA), 33 U.S.C. § 1251 et seq., at NARA's facility located at 8601 Adelphi Road, College Park, MD 20740 (hereinafter "National Archives II"), which is owned and operated by NARA. These serious and ongoing violations have caused and continue to cause discharges of significant amounts of pollutants, such as copper, to an unnamed tributary of Paint Branch, which is a tributary of the Anacostia River and within the Chesapeake Bay watershed.

As explained more fully below, NARA is routinely discharging pollutants from Outfall 001 in violation of the terms and conditions of its National Pollutant Discharge Elimination System (NPDES) Permit and the CWA. In addition, NARA is failing to comply with monitoring and reporting requirements in violation of both the NDPES Permit and the CWA. By failing to comply with its NPDES permit and the CWA, NARA has injured and will continue to injure or threaten to injure the health, environmental, aesthetic, and economic interests of ARK and its members. These injuries or risks are traceable to NARA's violations at National Archives II, and correction of these ongoing violations through remedies (including cessation, corrective action, payment of penalties, and supplemental environmental projects) will redress these injuries or risks.

Citizens are entitled to bring suit against "any person…alleged to be in violation" of an "effluent standard or limitation" established under the CWA. 33 U.S.C. § 1365(a)(1). Section 301(a) of the CWA, 33 U.S.C. § 1311(a), prohibits the discharge of pollutants from a point source to waters of the United States except in compliance with, among other conditions, a NPDES permit issued pursuant to section 402 of the CWA. 33 U.S.C. § 1342(a). Moreover, as much as $37,500 can be imposed per day for each violation of permit limits or conditions,

including unpermitted discharges, under the CWA. 33 U.S.C. § 1319(d).[1] In accordance with Section 505(b)(1)(A) of the CWA, 33 U.S.C. § 1365(b)(1)(A), this letter serves to notify NARA that ARK intends to file suit for violations of the CWA, unless corrected, in the U.S. District Court for the District of Maryland at any time 60 days after the postmarked date of this letter. 40 C.F.R. § 135.2(c).

I. BACKGROUND

NARA owns and operates National Archives II, a government records storage and preservation facility, located at 8601 Adelphi Road, College Park, MD 20740. National Archives II discharges non-contact cooling water into an unnamed tributary of Paint Branch, which itself is a tributary of the Anacostia River. All waters of the non-tidal Anacostia River, including Paint Branch and its tributary into which National Archives II discharges, are waters of the United States for purposes of the CWA and are further categorized by the Maryland Department of the Environment (MDE) as Use I waters and protected for water contact recreation, fishing, aquatic life, and wildlife.[2] The CWA Section 303(d) list identifies Paint Branch as impaired for biological indicators, which could be influenced by chlorine, tower chemicals, copper, or zinc, as shown in the Fact Sheet for the Permit.[3] However, there is currently no Total Maximum Daily Load (TMDL) for Paint Branch or its tributaries for such pollutants.

National Archives II currently operates under NPDES Permit No. MD0065871 and State Discharge Permit No. 09-DP-2904 (hereinafter "Permit"), effective December 1, 2009, pursuant to Section 402 of the CWA, 33 U.S.C. § 1342(b).[4] The Permit expired on November 30, 2014, but MDE has administratively extended its coverage.

The Permit authorizes National Archives II to discharge "non-contact cooling water" effluent through Outfall 001 and requires NARA to sample and report monthly the discharge's Flow, Temperature, Dissolved Oxygen, pH, Dissolved Zinc, Dissolved Copper, Hardness (as $CaCO_3$), Total Nitrogen, and Total Phosphorus.[5] In addition, NARA must sample once per month, report, and adhere to monthly averages and daily limitations at National Archives II for Total Copper (a monthly average of 9 µg/l and a daily maximum of 13 µg/l), Total Zinc (a monthly average and daily maximum of 120 µg/l), and Total Residual Chlorine (a monthly average of 0.011 mg/l and a daily maximum of 0.019 mg/l), as well as minimum and maximum pH levels of 6.5 and 8.5, respectively.

The Permit also requires NARA to submit a biomonitoring study plan to MDE by March 10, 2010 and submit quarterly Whole Effluent Toxicity (WET) tests for one year no later than three months following MDE's acceptance of the NARA's study plan. If the test results of any two consecutive valid toxicity tests conducted within any 12-month period show acute or chronic toxicity, NARA must either eliminate the source of the toxicity or perform a Toxicity Reduction

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[1] *See also* 40 C.F.R. § 19.4 (Civil Monetary Penalty Inflation Adjustment).
[2] MD Code Regs. 26.08.02.02; 26.08.02.08.
[3] *See* Permit's 2009 Fact Sheet, attached hereto as Attachment A.
[4] *See* Permit, attached hereto as Attachment B.
[5] *See* Attachment B: Permit, I. Special Conditions, A. Effluent and Monitoring Requirements.

Evaluation to investigate the cause of toxicity and implement control measures to reduce toxicity.

A review of information and data from Discharge Monitoring Reports (DMRs), Field Inspection Reports, and correspondence between NARA and MDE from 2012 to present reveal ongoing violations of the Permit, including: effluent limitation exceedances; unpermitted discharges; sampling, monitoring, and reporting violations; failure to undertake required toxicity testing; and failure to adhere to other permit conditions. These Permit violations have placed the National Archives II in significant noncompliance since December 2009.

II. VIOLATIONS OF THE CLEAN WATER ACT AND MARYLAND'S WATER POLLUTION CONTROL LAW

A. Failure to Comply with the Permit's Monitoring and Reporting Requirements

NARA has committed significant and ongoing violations to its Permit by failing to monitor its discharge and by inaccurately reporting monthly effluent limitations in its DMRs.

1. Failure to Correctly Report Sampling Results on the DMRs

The Permit requires NARA to report "effluent characteristics limited as a monthly average…on a separate form for each calendar month of the [quarterly] reporting period."[6] The Permit also requires NARA to report daily maximum effluent limitations as follows: "For each effluent characteristic monitored at a frequency of once per month or less and not limited as a monthly average, the results obtained during the reporting period shall be summarized on a single report for each quarter."[7] Since NARA is only required to take one grab sample per month for each parameter, the average monthly value should be the same as the daily maximum value. However, NARA does not submit the results of each monthly grab sample for each parameter on the DMRs as the Permit requires. Instead, NARA reports a single value each quarter as the "average monthly" sampling result and reports a separate, single value as the "daily maximum." Due to these reporting failures, it is difficult to determine whether the value reported as the "average monthly" is an average of the three monthly samples or represents a single grab sample result. Likewise, it is difficult to determine what the reported "daily maximum" value represents.

Failure to accurately calculate and report monthly averages and daily maximums makes compliance monitoring more difficult. For 45 months between January 2012 and September 2015, NARA has failed to accurately submit DMRs for Total Copper, Total Zinc, and Total Residual Chlorine. Each day of each month during which this reporting error occurred is a separate violation and is subject to a penalty of up to $37,500.

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[6] *See* Attachment B: Permit, II. General Conditions, A. Monitoring and Reporting, 2. Reporting-Monitoring Results Submitted Quarterly.

[7] *Id.*

2. *Failure to Monitor Effluent for Required Parameters*

Prior to April 2012, NARA failed to monitor its discharge not only for Total Zinc, but also for Dissolved Zinc, Water Hardness, Total Nitrogen, and Total Phosphorus, even though the Permit required NARA to monitor for these parameters at National Archives II by December 2009.[8] In addition, NARA submitted a DMR for the third quarter of 2012 with the value of 'zero' entered for each parameter and its corresponding concentration limitations. This NOI treats this DMR as a failure to monitor its effluent for the required parameters. Each day of each month during which NARA failed to monitor each parameter is a separate violation and is subject to a penalty of up to $37,500.

3. *Failure to Submit Timely DMRs*

The Permit requires NARA to submit DMRs to MDE "postmarked no later than the 28th day of the month following the end of the reporting period."[9] Table 1 below displays the quarters from January 2012 onward that NARA failed to submit timely DMRs. As per Table I, NARA has failed to submit timely DMRs by the required deadline five out of the past 15 quarters.

Table 1. Discharge Monitoring Reports Non-Receipt Violations

Monitoring Period	DMR Due Date	Parameters	DMR Value Received Date
2012-Q2 (Apr-Jun)	July 28, 2012	Temperature	Aug. 8, 2012
2012-Q4 (Oct-Dec)	Jan. 28, 2013	Dissolved Oxygen pH Total Nitrogen Total Phosphorus Total Hardness [as $CaCO_3$] Dissolved Copper Total Copper Dissolved Zinc Total Zinc Flow Total Residual Chlorine	Mar. 08, 2013
2013-Q3 (Jul-Sep)	Oct. 28, 2013	Temperature	Nov. 28, 2013
2014-Q1 (Jan-Mar)	Apr. 28, 2014	Flow	May 29, 2014
2014-Q2 (Apr-Jun)	Jul. 28, 2014	Temperature	Aug. 28, 2014

Each day of nonsubmittal is a separate violation for which penalties of up to $37,500 may be assessed.

[8] *See* MDE Field Inspection Report (May 24, 2012), attached hereto as Attachment C.
[9] *See* Attachment B: The Permit, II. General Conditions, A. Monitoring and Reporting, 2. Reporting-Monitoring Results Submitted Quarterly.

B. Failure to Meet Monthly Average Permitted Effluent Limits for Total Copper and Total Residual Chlorine

NARA has continuously and significantly violated the monthly effluent limits imposed on National Archives II. The Permit imposes a monthly average effluent limit of 9 µg/l of Copper, 120 µg/l of Zinc, and 0.011 mg/l of Residual Chlorine from National Archives II's discharges of non-contact cooling water via Outfall 001. As previously stated, instead of submitting monthly averages for these parameters, as required by its Permit, NARA has instead submitted a single value each quarter as the "monthly average."

Table 2 shows NARA's exceedances of its monthly average permit limits for Total Copper, Total Zinc, and Total Residual Chlorine at National Archives II between January 2012 and September 2015, as reported in its quarterly DMRs. Although this reporting failure makes it difficult to determine whether NARA has exceeded its monthly averages for these parameters for each month in the quarter, the value reported on the DMRs indicates that NARA has violated its monthly average for at least one month of that quarter. This is true regardless of whether the reported value represents a quarterly average, the lowest effluent concentration sampled in that quarter, or the highest effluent concentration sampled in that quarter.

Cells highlighted in yellow indicate that NARA has violated its monthly average for the particular effluent in that column at least one month in that quarter. Cells highlighted in red indicate that NARA has violated its monthly average for a particular effluent at least one month in that quarter and that the represented value for that quarter is at least twice as much as the limits allowed by the Permit. Table 2, below, indicates that NARA has violated its average monthly effluent limit at least 13 times for Total Copper, at least seven times for Total Zinc, and at least 13 times for Total Residual Chlorine between January 2012 and September 2015. National Archives II remains in continuing and significant noncompliance for Total Copper and Total Residual Chlorine.

Table 2. Exceedances of Monthly Average Permit Limits as Reported in Quarterly Discharge Monitoring Reports

Year – Quarterly Reporting Period	Total Copper (9 µg/l)	Total Zinc (120 µg/l)	Total Residual Chlorine (0.011 mg/l)
2012-Q1 (Jan-Mar)	>0.21	--[10]	0.0
2012-Q2 (Apr-June)	1287	1033	0.2
2012-Q3 (July-Sep)[11]	--	--	--
2012-Q4 (Oct–Dec)	2600	1600	0.13
2013-Q1 (Jan-Mar)	3640	1004	0.23
2013-Q2 (Apr-June)	2000	780	0.18

[10] There is no value reported for Total Zinc in the first quarter of 2012 because NARA failed to monitor its discharge for the parameter until the second quarter of 2012. *See* Section II.A.2 of this NOI.

[11] For the third quarter of 2012, NARA submitted a DMR with the value of 'zero' entered for each parameter and its corresponding concentration limitations. This NOI treats this DMR as a failure to monitor effluent for required parameters. *See* Section II.A.2 of this NOI.

Year – Quarterly Reporting Period	Total Copper (9 µg/l)	Total Zinc (120 µg/l)	Total Residual Chlorine (0.011 mg/l)
2013-Q3 (July-Sep)	950	280	0.09
2013-Q4 (Oct-Dec)	400	100	0.8
2014-Q1 (Jan-Mar)	523	170	0.29
2014-Q2 (Apr-June)	46	50	0.2
2014-Q3 (July-Sep)	450	160	0.11
2014-Q4 (Oct-Dec)	68	50	0.1
2015-Q1 (Jan-Mar)	76.7	73.3	0.16
2015-Q2 (Apr-June)	75	60	0.07
2015-Q3 (July-Sep)	27.67	50	0.15

Each day the discharged effluent exceeds the monthly average limit for Total Copper, Total Zinc, or Total Residual Chlorine is a separate violation for which a penalty of up to $37,500 per day can be assessed.

C. Failure to Meet Daily Permitted Effluent Limits for Total Copper and Total Residual Chlorine

The Permit imposes daily effluent limits of 13 µg/l of Copper, 120 µg/l of Zinc, and 0.019 mg/l of Residual Chlorine from National Archives II's discharges of non-contact cooling water via Outfall 001. The Permit requires NARA to summarize the results of each month's grab sample and report the value as a "daily maximum" on the quarterly DMR. As discussed previously, NARA only reports a single value as the "daily maximum" every quarter.

Table 3 below shows NARA's violations of its daily maximum effluent limits for Total Copper, Total Zinc, and Total Residual Chlorine between January 2012 and September 2015 as reported by NARA. For each of these pollutants, the table provides the value reported by NARA as the "daily maximum" during each quarter. Cells highlighted in yellow indicate that NARA's violated National Archives II's daily limit requirement for the particular parameter in the column for that quarter. Cells highlighted in red indicate that NARA violated National Archives II's daily limit requirement for a particular parameter in that quarter, and that the recorded daily maximum for that quarter is at least twice as much as the Permit limits. At a minimum, National Archives II is in violation of the daily maximum effluent limitations for one day during each quarter, as indicated in Table 3.

Table 3. Violations of Quarterly Daily Minimum and Maximum Permit Limits

Year – Quarterly Reporting Period	Total Copper Daily Max. (13 µg/l)	Total Zinc Daily Max. (120 µg/l)	Total Residual Chlorine Daily Max. (0.019 mg/l)	pH	
				Daily Min. (6.5)	Daily Max. (8.5)
2012-Q1 (Jan-Mar)	>0.21	--[12]	0.0	6.7	6.9
2012-Q2 (Apr-June)	2500	1800	0.46	6.4	6.7
2012-Q3[13] (July-Sep)	--	--	--	--	--
2012-Q4 (Oct–Dec)	3100	1800	0.15	6.64	6.74
2013-Q1 (Jan-Mar)	3900	1700	0.28	6.27	6.91
2013-Q2 (Apr-June)	2400	1000	0.31	6.44	6.76
2013-Q3 (July-Sep)	1400	400	0.17	6.87	7.13
2013-Q4 (Oct-Dec)	640	180	0.15	7.4	7.6
2014-Q1 (Jan-Mar)	710	260	0.5	7.5	8.2
2014-Q2 (Apr-June)	80	50	0.3	7.3	7.7
2014-Q3 (July-Sep)	530	180	0.16	7.6	8.0
2014-Q4 (Oct-Dec)	70	50	0.1	7.7	7.8
2015-Q1 (Jan-Mar)	140	100	0.36	7.2	7.7
2015-Q2 (Apr-June)	143	80	0.1	6.8	7.2
2015-Q3 (July-Sep)	38	50	0.3	7.0	7.5

Table 3 indicates that out of the past 15 quarters, NARA has violated its daily Total Copper limit 13 times, its daily Total Zinc limit eight times, and its daily Total Residual Chlorine limit 13 times. Each reported daily maximum exceedance is a separate violation for which a penalty of up to $37,500 can be assessed.

D. Failure to Provide Notification of Daily Maximum Effluent Limitation Violations for Total Copper, Total Zinc, and Total Residual Chlorine

The Permit requires NARA to notify MDE by telephone if National Archives II fails to comply "with any daily maximum or daily minimum effluent limitation…within 24 hours of becoming aware of the noncompliance" as well as provide notice to MDE in writing within five calendar days.[14] After reviewing documents received in a Maryland Public Information Act (PIA) request to MDE regarding National Archives II, it does not appear that NARA has notified MDE either by telephone or in writing after failing to comply with the daily effluent limitations

[12] There is no value reported for Total Zinc in the first quarter of 2012 because NARA failed to monitor its discharge for the parameter until the second quarter of 2012. *See* Section II.A.2 of this NOI.

[13] For the third quarter of 2012, NARA submitted a DMR with the value of 'zero' entered for each parameter and its corresponding concentration limitations. This NOI treats this DMR as a failure to monitor effluent for required parameters. *See* II.A.2 of this NOI.

[14] *See* Attachment B: Permit, II. General Conditions, B. Management Practices, 2. Noncompliance with Effluent Limitations.

previously mentioned in this NOI. The duty to notify arose upon NARA's receipt of the test results of each grab sample that exceeded Permit limits, as outlined in Table 3, above. Each failure to notify MDE constitutes a separate violation of the Permit and subjects NARA to a penalty of up to $37,500 per day.

E. Unauthorized Discharge of Contaminated Stormwater

Section 303(a) of the CWA, 33 U.S.C. § 1311(a), prohibits the discharge of a pollutant by any person into the waters of the United States unless such discharge is authorized by and in compliance with a permit. The Permit does not mention allowing National Archives II to discharge any stormwater contaminated with process wastewater and only authorizes the discharge of non-contact cooling water. However, according to photos accompanying NARA's permit renewal application received by MDE on February 20, 2015, Outfall 001 discharges to an existing stormwater stream.[15] Thus, discharge of contaminated stormwater from National Archives II constitutes an unpermitted discharge of pollutants in violation of the Permit and the CWA. Each day beginning January 1, 2011 that such unpermitted discharge occurred or occurs is a separate violation for which penalties of $37,500 can be assessed.

F. Failure to Adhere to Biomonitoring Reporting Requirements

1. Failure to Submit Quarterly Biomonitoring Test Results

NARA is in violation of the Permit's biomonitoring reporting requirements. Within three months of the effective date of the Permit, NARA was required to submit to MDE for approval a study plan "to evaluate wastewater toxicity at Outfall 001 by using biomonitoring."[16] Although NARA was required to submit the study plan by March 2010, it did not submit the plan until April 2013.[17] After MDE's approval of the study plan, the Permit requires NARA to submit quarterly WET tests consecutively for one year.[18] However, NARA still has not provided the WET test results from either the third or fourth quarters of 2013, despite repeated requests from MDE.[19] MDE has received WET test results from the second quarter of 2013 as well as the first, second, and third quarters of 2014. Thus, NARA has failed to submit quarterly WET tests for a full one-year period. NARA has been in violation of this Permit requirement from at least January 2011 through the present and each day of noncompliance is a separate violation subject to a penalty of up to $37,500.

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[15] *See* Permit Renewal Application (Feb. 20, 2015), attached hereto as Attachment D.

[16] *See* Attachment B: Permit, I. Special Conditions, K. Monitoring Program.

[17] *See* MDE, Field Inspection Report (Aug. 8, 2012), in which Site Inspector John Odalapo notes that MDE "has not yet received this plan with over two years into the permit," attached hereto as Attachment E; *see also* Letter from MDE to Lawrence Holley, NARA (June 18, 2014), attached hereto as Attachment F.

[18] *See* Attachment B: Permit, I. Special Conditions, K. Monitoring Program, which states, "[t]he [biomonitoring] testing program shall consist of definitive quarterly chronic testing for one year."

[19] *See* Email from MDE to Lawrence Holley, NARA (March 6, 2014) (stating that MDE is "still missing the reports from the last two quarters of 2013 and the first quarter of 2014"), attached hereto as Attachment G; Email from MDE to Lawrence Holley, NARA (April 11, 2014) (acknowledging receipt of test results from the first quarter of 2014 but repeating request for "the bio-monitoring reports for the 3rd and 4th quarters of 2013"), attached hereto as Attachment H; Attachment F: Letter from MDE to Lawrence Holley, NARA (June 18, 2014) (stating that "the WET testing results for the third and fourth quarters of 2013…have not been received").

2. *Failure to Perform Additional Biomonitoring Testing After Two Consecutive Tests Showed Chronic Toxicity*

The Permit also requires NARA to repeat WET tests within 30 days "if the test results of any two consecutively valid toxicity tests…show acute or chronic toxicity..."[20] If the repeated test confirms acute and/or chronic toxicity, NARA must either eliminate the source of toxicity or perform a Toxicity Reduction Evaluation.[21] In a September 15, 2014 letter to Facility Manager Lawrence Holley, MDE informed NARA that "the results of the testing conducted in the second quarter of 2014 indicate that the effluent from Outfall 001 was chronically toxic to the Pimephales promelas (fathead minnow)…[and] the results of the third quarter testing indicate that the effluent from Outfall 001 was chronically toxic to both the fathead minnow and the Ceriodaphnia dubia (cladoceran)."[22] Because of this chronic toxicity, the Permit required NARA to repeat the test and submit the test results within 30 days upon receiving the letter. None of the records provided by MDE during a Public Information Act (PIA) request indicate that NARA has complied with this requirement. Each day that NARA continues to fail to perform the additional WET testing is a separate violation subject to a penalty of up to $37,500.

G. Failure to Take All Reasonable Steps to Minimize Adverse Impact to Waters of the State

The Permit requires NARA to take all reasonable steps to minimize or prevent adverse impact to the waters of the State of Maryland.[23] Yet NARA has chronically failed to follow WET testing and reporting requirements; its effluent contains pollutants up to 300 times the allowable limit; and it has been in continuous violation of its Total Copper and Total Residual Chlorine limits since the second quarter of 2012.[24] For these reasons, NARA has failed to take all reasonable steps to minimize adverse impacts to surface waters. In addition, National Archives II's discharge may be causing or contributing to exceedances of State water quality standards in violation of NARA's Permit.[25] Each day NARA fails to take all reasonable steps to minimize or prevent adverse impacts to the waters of Maryland or contributes to any exceedance of State water quality standards is a separate violation subject to a penalty of up to $37,500.

III. PARTIES GIVING NOTICE

The Anacostia Riverkeeper is a nonprofit organization that works to protect and restore the Anacostia River for communities that live in, work in, and recreationally use its watershed, and advocates for a clean, healthy river for all its communities. ARK has more than 100 members, many of whom use and enjoy the Anacostia watershed for recreation, wildlife watching, aesthetic enjoyment, and other purposes. ARK's offices are located at 515 M St SE, Suite 218,

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[20] *See* Attachment B: Permit, I. Special Conditions, K. Monitoring Program.
[21] *See id.*
[22] *See* Letter from MDE to Lawrence Holley, NARA (Sep. 15, 2014), attached hereto as Attachment I.
[23] *See* Attachment B:Permit, II. General Conditions, B. Management Requirements, 4. Adverse Impact.
[24] This excludes the third quarter of 2012. For the third quarter of 2012, NARA submitted a DMR with the value of 'zero' for each parameter and its corresponding concentration limitations. This NOI treats this DMR as a failure to monitor effluent for required parameters. *See* Section II.A.2 of this NOI.
[25] *See* Attachment B: Permit, I. Special Conditions, N. Protection of Water Quality.

Washington, DC 20003 and the main phone number is (202) 863-0158. ARK is represented by the Environmental Integrity Project (EIP), a nonprofit law firm located at 1000 Vermont Avenue NW, Suite 1100, Washington DC 20005 and whose main phone number is (202) 296-8800.

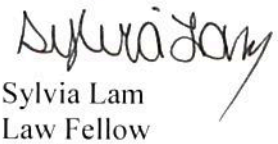
The activities at National Archives II have negatively affected the Anacostia River and its watershed by polluting its waters. The CWA Section 303(d) list identifies Paint Branch as impaired for biological indicators. According to the Permit's Fact Sheet, this impairment could be influenced by chlorine, tower chemicals, copper, or zinc.[26] Both copper and zinc are heavy metals and can be toxic to aquatic life if found in higher concentrations.[27] Because heavy metals are non-biodegradable, both localized and dispersed heavy metal pollution can negatively affect both the aquatic life and human health. If left unchecked, National Archives II's discharges will continue to injure the Anacostia River watershed.

IV. CONCLUSION

NARA has violated and is currently violating the federal CWA and Maryland's Water Pollution Control Law at National Archives II's in College Park, MD. Due to the high number and repetitive nature of the violations, ARK believes that National Archives II will continue to release unpermitted discharges. Accordingly, ARK intends to file suit to enjoin and abate the aforementioned violations, ensure future compliance with federal and state law, obtain civil penalties, recover attorneys' fees and costs of litigation, and obtain other appropriate relief.

If you have any questions regarding the allegations in this notice or believe any of the foregoing information may be in error, please contact Sylvia Lam at the phone number or email address listed below. We would also welcome an opportunity to discuss a resolution of this matter prior to the initiation of litigation if you are prepared to remedy the violations discussed above.

Sincerely,



Sylvia Lam
Law Fellow
Environmental Integrity Project
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slam@environmentalintegrity.org

Counsel for Anacostia Riverkeeper

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[26] *See* Attachment A: Permit's 2009 Fact Sheet.
[27] U.S. Environmental Protection Agency, Fact Sheet: Aquatic Life Ambient Freshwater Quality Criteria (2007).

cc:

The Hon. Gina McCarthy
Administrator
U.S. Environmental Protection Agency
Office of the Administrator, Mail Code 1101A
1200 Pennsylvania Avenue NW
Washington, DC 20460

Via Certified Mail, Return Receipt Requested

Shawn M. Garvin
Regional Administrator
U.S. Environmental Protection Agency, Region 3
1650 Arch Street (3PM52)
Philadelphia, PA 19103

Via Certified Mail, Return Receipt Requested

Loretta Lynch
U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

Via Certified Mail, Return Receipt Requested

Benjamin H. Grumbles
Secretary of the Environment
Maryland Department of the Environment
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Baltimore, MD 21230

Via Certified Mail, Return Receipt Requested

Lynn Y. Buhl
Director
Water Management Administration
Maryland Department of the Environment
1800 Washington Blvd.
Baltimore, MD 21230

Via Certified Mail, Return Receipt Requested

NOTICE OF INTENT TO SUE NARA
ON BEHALF OF ANACOSTIA RIVERKEEPER

INDEX OF ATTACHMENTS

ATTACHMENT	Title/Description
A	MDE Summary Report and Fact Sheet (2009)
B	NPDES Permit MD0065871 (effective December 1, 2009)
C	MDE Field Inspection Report (May 24, 2012)
D	NARA Application for Permit Renewal (received February 20, 2015)
E	MDE Field Inspection Report (August 8, 2012)
F	Letter from MDE to NARA (June 18, 2014)
G	Email from MDE to NARA (March 6, 2014)
H	Email from MDE to NARA (April 11, 2014)
I	Letter from MDE to NARA (September 15, 2014)

ATTACHMENT A

DEPARTMENT OF THE ENVIRONMENT
WATER MANAGEMENT ADMINISTRATION
INDUSTRIAL PERMITS DIVISION

Summary Report and Fact Sheet

Project Type: Industrial/Surface/Renewal

State Application No.: 09-DP-2904 EPA No.: MD0065871

Legal Name of Applicant: National Archives and Records Administration
Mailing Address: 8601 Adelphi Road
College Park, MD 20740

Facility Name: National Archives and Records Administration
Location: 8601 Adelphi Road
College Park, MD 20740
County: Prince George's

Contact (Name, Title): Vernon Mills, Facility Manager

Phone: 301-837-1983 **FAX** 301-837-0336

SIC Code(s): 6512 (Operator of Nonresidential Buildings)

Applicant discharges from: a government records storage and preservation facility

Via Outfall: 001

Receiving Water Name (Use): unnamed trib. to Paint Br. (Use I)

Basin Code: 02.14.02.05

Md. Coordinates: East: 0812.0 North: 425.0

Subject to EPA review? No

Application Rec'd: Sep. 29, `08 **Assigned:** Jan. 6, `09

Project Mgr.: Edward Gertler **Phone:** 410-537-3323

Site Visit: Mar. 24, `04

Current Permit Expiration Date: Jun. 30, `09

Scheduled Watershed Permitting Cycle: 4:4

Date Submitted: 01/09/09 **Reviewed by:** _____ Date: _____

Revision Dates: _____

Description of Facility and Activities Generating Discharge

The discharge consists of noncontact cooling water used to cool the facility air conditioning system. The water comes from the WSSC and is circulated through a cooling tower. A fraction of this water is discharged to counter the accumulation of dissolved solids cause by evaporation of tower water. Added to this water are chemicals to prevent corrosion and scaling, and to inhibit biological growth.

The discharge is to a drainage swale along the north side of the facility that is the head of an unnamed tributary of Paint Branch.

Detailed Assessment of Liquid Waste

Type of wastewater in Outfall 001 is recirculated noncontact cooling water.

Discharge: Type; continuous Period; 12 months/year

Flow: Avg: 93,000 gpd from Part IV.A of Form 2E
Max: 149,000 gpd from Part IV.A of Form 2E

pH Range: 8.55 to 8.72 from Part IV.A

Temperature: 24°C constant from Part IV.A

Effluent Constituents	Concentrations (mg/l)	Loadings (lb/d)
Total Suspended Solids	ND	
BOD	6	
Total Org. Carbon	3.7	
Oil & Grease	ND	
Ammonia	0.17	

The values for the above five parameters are from single grabs taken to complete form 2E.

Total Residual Chlorine 0.0 mg/l from Part IV.A of Form 2E

Total N: No effluent data, but a well water analysis shows 1.7 mgl and WSSC tap water analysis shows nitrate at 0.95 mg/l as a yearly average.

Total P: No effluent data and no data for well water. WSSC tap water analysis shows total phosphorus at 0.3 mg/l as a yearly average.

Potential Toxic Pollutants

Residual chlorine and biocides

Tentative Agency Decision

There are no EPA guidelines for this activity. All of the technology-based limits are based on best professional judgment. The water quality-based limits are based on the assumption that there is no instantaneous mixing, as the discharge is at the head of the receiving stream.

Total Residual Chlorine or Bromine: Because the cooling system uses water from the municipal supply, there is a potential for residual chlorine in the effluent. Chlorine may also be used as a cooling tower biocide. The total residual chlorine limit is a requirement of COMAR 26.08.03.06. The exact number is water quality-based, representing the State receiving water criteria (from COMAR 26.08.02.03-2G) applied at the end of the pipe.

There may be instances where the permittee uses a bromine-based biocide system. The effects are almost the same as chlorine, so the limit is the same. Since the test method is the same, the 0.1 mg/l threshold is still applicable.

Temperature, dissolved oxygen, and pH have the potential for a localized effect. The temperature limit is appropriate because this is cooling water. The limit is the receiving water criteria applied at end of pipe because, the discharge being at the head of the stream, there is no room for a mixing zone (Also, for this reason, there is no need to continue using the parameter "temperature difference" to determine compliance). Although the temperature limit continues to apply at all times, temperature monitoring shall now be limited to the warm months only because that is the only time a hot discharge might harm the stream. The limits for pH and dissolved oxygen (which are equal to the receiving water criteria) are justified because of the likely need for a chemical dechlorination process, which if overdone, has the potential for depressing pH and dissolved oxygen. Also, at times the municipal water source is outside the upper end of the pH range.

Because I did not find existing copper data to be conclusive (the detectability level is higher than the water quality standard) and we now know that we should also look for zinc, I have continued to require monitoring for **copper** and added monitoring for **zinc**, and because this discharge makes up the entire flow of the stream, we are now establishing limits. The limits are water quality standards for reasons stated above. Because water quality standards are for dissolved metals but the limits are for total, hardness monitoring is included to link the two, if necessary.

Because of the uncertainty as to whether there is a metals issue,

standards are for dissolved metals but the limits are for total, hardness monitoring is included to link the two, if necessary.

Because of the uncertainty as to whether there is a metals issue, I have allowed a six-month compliance schedule for Cu and Zn. That gives the permittee enough time to determine whether they can comply or make alternative discharge arrangements. If there are elevated metals concentrations, I do not see them achieving compliance by treatment. I do not see translator studies helping them as any metal is probably in dissolved form.

The chlorine footnote is to link the requirements of the two COMAR sections cited in the above chlorine limit rationale. The footnote about system cleaning (including shock treatment by chlorine) is to address surges in pollutants regulated above and to prevent release of pollutants not regulated above.

Nutrient monitoring: There are measureable concentrations of nitrogen and phosphorus in both well water and WSSC water. These are sources that we have just recently become aware of and the Department has not considered them in the development of any TMDLs. Hence there is no waste load allocation for this source. Until the Department decides on how to integrate this information, we shall gather more data only. Since the cycling of water in a cooling tower is likely to concentrate these pollutants, intake analyses are not sufficient. While this load is an input to the Anacostia system, one could argue that there is no net addition to the Chesapeake system because these nutrients came from the hydrologic system and are now being returned. This approach is consistent with the approved TMDL for the Anacostia[1].

Additionally, based on the limited influent data, this discharge has been contributing about 480 lbs/yr total N and 85 lbs/yr total P. These nutrient loads are well below 1% of the nutrient allocations reserved for the Maryland non-tidal point sources specified in Anacostia River Nutrient/BOD TMDL (TN: 119,827 lbs/yr, TP 13,854 lbs/yr). If effluent results show significantly higher quantities, then we will reopen the permit to establish appropriate limits.

Other Special Conditions Rationale

Definitions: This is edited from the standard list of 22 definitions

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[1] Total Maximum Daily Loads of Nutrients/Biochemical Oxygen Demand for the Anacostia River Basin, Montgomery and Prince George's Counties, Maryland and The District of Columbia approved June 5, 2008.

Toxic Pollutant Reporting: Requirement to address the release of any toxic pollutants not anticipated in the permit review process. Standard inclusion.

Removed Substances: This requirement is to assure that pollutants do not reach State waters by some other route. Standard inclusion, but only activated if we determine a potential need for this information.

Analytical Laboratory: We may need to know who is doing the testing. Standard inclusion.

Wastewater Operator Certification: This is to assure that a properly trained person is operating the wastewater treatment system. Since there is no wastewater treatment here, other than maybe declorination, this requirement is not appropriate (thus marked reserved).

Flow Monitoring: This is to increase the probability that flow is being monitored competently when a facility "estimates" their flow.

Flow Basis for Fee: This is to assure that we have the correct flow on which to base the annual fee.

Reapplication for Permit: This is normally to assure that we have the application in time to reissue the permit by its watershed schedule.

TMDL Reopener: Normally, this is to alert the permittee that the finalization of a TMDL is cause to reopen the permit. In this case, it is also to emphasize that with more nutrient data, we may have to establish limits to conform with the existing nutrient TMDL.

Biomonitoring: Automatically required for major permits, and for minors, such as this, required when it is not certain that the numerical limits address all pollutants or conditions that would cause aquatic toxicity. Since there is nothing in our files to document that the permittee has complied with the alternative provided by the water additives condition, this is the only way to determine whether this discharge, with its biocides and possibly heavy metals, is toxic.

Toxicity Reduction Evaluation: This defines the steps necessary to determine the cause of toxicity, once toxicity has been identified. Standard inclusion.

Mixing Zones and Pollution Prevention: The goal of eliminating toxic pollutants in discharges, especially with the elimination of the mixing zone option, will not generally be attainable by wastewater treatment, so we are trying to get permittees to

establish a pollution prevention program now. Not applicable here as no parameters are dependent on a mixing zone (hence marked "reserved").

Protection of Water Quality: Sometimes, because of deficient data in the permit application, the Department does not issue a permit with all pertinent parameters limited. This condition states that if an omitted parameter causes violations of established water quality criteria, we reserve the right to modify, suspend, or revoke the permit.

Water Treatment Chemicals: This provision is to provide a means by other than a formal modification to allow a change in water conditioners, and to assure that no conditioner renders the wastewater toxic to aquatic life.

The **Storm Water Pollution Prevention Plan** is not included because 40 CFR 122.26 does not identify this activity for storm water regulation.

TMDL/WATER QUALITY ISSUES

The 303(d) list identifies Paint Branch as impaired for biological indicators, and that could certainly be influenced by chlorine, tower chemicals, and copper or zinc. But there is no TMDL for such yet. Some impairments identified downstream in Northeast Branch or the Anacostia mainstem (such as sediments and bacteria) are not relevant to this discharge. Nutrients are also identified as an impairment, there is an approved nutrient TMDL for the Anacostia, and there is no waste load allocation for this source.

CHANGES FROM LAST PERMIT (and if not given above, the rationale)

Return to quantifying temperature empirically, rather than by temperature difference calculation.

Add copper and zinc limits.

Add nutrient monitoring.

I eliminated or modified some of the footnotes on the effluent limits page. They were put there to conform to the anticipated format of the cooling water general permit. Since such a permit now seems unlikely, there is no reason to adhere to this rigid format.

ATTACHMENT B

STATE DISCHARGE PERMIT NUMBER	09-DP-2904	NPDES PERMIT NUMBER	MD0065871
EFFECTIVE DATE	December 1, 2009	EXPIRATION DATE	November 30, 2014
MODIFICATION DATE:	N/A	REAPPLICATION DATE	October 1, 2012

Pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland, and regulations promulgated thereunder, and the provisions of the Clean Water Act, 33 U.S.C. § 1251 et seq. and implementing regulations 40 CFR Parts 122, 123, 124, and 125, the Department of the Environment, hereinafter referred to as the "Department," hereby authorizes

National Archives and Records Administration
8601 Adelphi Road
College Park, Maryland 20740

TO DISCHARGE FROM

a government records storage and preservation facility

LOCATED AT

8601 Adelphi Road, College Park, Prince George's County, Maryland 20740

VIA OUTFALL

001 as identified and described herein

TO

an unnamed tributary to Paint Branch, which, as Use I waters, is protected for water contact recreation, fishing, aquatic life and wildlife in accordance with the following special and general conditions and map(s) made a part hereof.

I. SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the effective period of this permit, the permittee is authorized to discharge non-contact cooling water via Outfall 001 (Maryland Coordinates 812.0 E and 425.0 N).

As specified below, such discharge shall be limited and monitored by the permittee at the discharge pipe from the cooling water system.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Flow	Report	Report	gpd					1/Month	Measured	
Temperature					Report	90	°F	1/Month	i-s	(1)
Total Residual Chlorine					0.011	0.019	mg/l	1/Month	Grab	(2) (3)
Dissolved Oxygen				5.0			mg/l	1/Month	Grab	(4)
pH				6.5		8.5		1/Month	Grab	(2)
Total Zinc					120	120	ug/l	1/Month	Grab	(5)(6)(7)
Dissolved Zinc					Report	Report	ug/l	1/Month	Grab	(5)
Total Copper					9	13	ug/l	1/Month	Grab	(5)(6)(7)
Dissolved Copper					Report	Report	ug/l	1/Month	Grab	(5)(6)
Hardness (as CaCO3)					Report	Report	mg/l	1/Month	Grab	(8)
Total Nitrogen					Report	Report	mg/l	1/Month	Grab	(9)
Total Phosphorus					Report	Report	mg/l	1/Month	Grab	(9)

I. SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - Continued from previous page

There shall be no discharge of floating solids or persistent foam in other than trace amounts. Persistent foam is foam that does not dissipate within one half-hour of point of discharge.

(1) Monitoring is required May through October only.

(2) The discharge of wastewater from the cleaning of the cooling water system with acids, solvents, or detergents is prohibited. If caustic inorganic cleaners or chlorine shock treatment are used, both the pH and chlorine limits are applicable during those periods, and the permittee shall monitor the discharge for thos pollutants during those periods of discharge. If the permittee practices chemical dechlorination, then the pH limit is applicable. If none of these activities occurs, the permittee shall so note in the comments section of the discharge monitoring report.

(3) Because the minimum level (quantification level) for chlorine is 0.10 mg/l, all results below this minimum level shall be reported as <0.10 mg/l.

(4) Monitoring for dissolved oxygen is required only if chemical dechlorination is conducted. The permittee shall so note on the discharge monitoring report.

(5) Test results of non-detectable levels are not acceptable unless the detection level is less than the permit limit or the permittee demonstrates to the Department that a lower detection level is not practically achievable for this wastewater.

(6) EPA Test Method 200.8. An alternate test method may be substituted as long as the Department concurs that its detection level is less than the applicable Toxic Substance Criteria in COMAR 26.08.02.03 or the permittee demonstrates to the Department that a lower detection level is not practically achievable for this wastewater. Sample preservation procedures, container materials, and maximum allowable holding times must be specified in any application to the Department for use of an alternate test method(s). Written approval from the Department must be given before any alternate test method(s) is used.

(7) The limits for copper and zinc become effective six months after the effective date of the permit.

(8) To be taken at same time as metals samples.

(9) After one year of monitoring, the Department may reduce or eliminate monitoring requirements upon a written request from the permittee. This change can be made without reopening the permit.

I. SPECIAL CONDITIONS

B. DEFINITIONS

1. "Bypass" means the intentional diversion of wastes from any portion of a treatment facility.

2. "Daily determination of concentration" means one analysis performed on any given sample representing flow during a calendar day, with one number in mg/l or other appropriate units as an outcome.

3. The "daily maximum" effluent concentration means the highest reading of any daily determination of concentration.

4. The "daily maximum" temperature means the highest temperature observed during a 24-hour period or, if flows are of shorter duration during the operating day.

5. "Estimated" flow means a calculated volume or discharge rate which is based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters, and batch discharge volumes.

6. "Grab sample" means an individual sample collected in less than 15 minutes. Grab samples collected for pH and total residual chlorine shall be analyzed within 15 minutes of time of sample collection.

7. "i-s" = immersion stabilization - means a calibrated device immersed in the effluent stream until the reading is stabilized.

8. "Measured" flow means any method of liquid volume measurement the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.

9. The "minimum" value means the lowest value measured during a 24-hour period.

10. The "monthly, quarterly, semi-annual, or annual average" effluent concentration means the value calculated by computing the arithmetic mean of all the daily determinations of concentration made during any calendar-month, 3-month, 6-month, or 12-month period respectively.

11. "Nitrogen, Total" means the sum of organic nitrogen, ammonia nitrogen, nitrate, and nitrite. All values shall be reported as nitrogen (as N).

12. "Solvent" is defined as an organic substance capable of dissolving another to form a uniformly dispersed mixture. Organic solvents include, but are not limited to, aromatic hydrocarbons, aliphatic hydrocarbons, esters, ethers, ketones, amines, and nitrated and chlorinated hydrocarbons.

13. "Upset" means the exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

C. TOXIC POLLUTANT REPORTING

The permittee shall notify the Department as soon as it is known or suspected that any toxic pollutants which are not specifically limited by this permit have been discharged at levels specified in 40 CFR Part 122.42(a).

D. REMOVED SUBSTANCES

1. Within 30 days after notification by the Department, the permittee shall provide information on the disposal of any removed substances, as defined by General Condition B.7, including the following information:

   a. A suitable map showing all areas used for disposal of removed substances.

   b. The physical, chemical, and biological characteristics, as appropriate; quantities of any removed substances; and the method of disposal.

   c. If disposal is handled by persons other than the permittee, identification of the contractor or subcontractor, their mailing address, and the information specified in a and b above.

2. The Department's notification may also require the permittee to provide the above information prior to the use of new or additional disposal areas, contractors, or subcontractors.

E. ANALYTICAL LABORATORY

Within 30 days after the effective date of this permit, the permittee shall submit to the Department the name and address of the analytical laboratory (including the permittee's own laboratory) which is used to perform the monitoring required by this permit.

If the laboratory changes during the effective period of this permit, the permittee shall notify the Department of the new laboratory within 30 days after the change.

F. WASTEWATER OPERATOR CERTIFICATION – [Reserved]

G. FLOW MONITORING

In lieu of providing measured flow (defined in the Special Conditions Definitions section) at Outfall 001, the permittee may estimate flows and submit the following information at the time of submission of the initial discharge monitoring report and/or upon any change in the methodology:

1. a description of the methodology used to estimate flow at each outfall where flow measurement equipment is not present;

2. documentation appropriate to the methodology utilized which provides information necessary to support the validity of the reported flow estimate. If actual measurements or observations are made, a description of typical sampling times, locations, and persons performing the measurements/observations should also be provided.

3. a description of the factors (e.g., batch discharges, intermittent operation, etc.) which cause flow at the outfall to fluctuate significantly from the estimate provided.

H. FLOW BASIS FOR ANNUAL DISCHARGE PERMIT FEE

The Department will calculate permit fees annually and will invoice the permittee based upon average discharge flow. Permit fees are payable in advance to the Department by July 1 of each fiscal year (July 1 through June 30).

The permittee shall provide to the Department's Industrial Discharge Permits Division by May 1 of each year an updated average discharge flow value for the next billing period if the flow volume used to calculate the most recent annual permit fee (or, if the permit was renewed within the past year, the flow volume used to calculate the application fee) differs significantly from either of the following flow determinations:

1. average flow data from the current fiscal year as reported on the permittee's discharge monitoring reports, or

2. the estimated flow volume for the next billing period based upon recent changes at the facility.

The permittee shall include with their flow revision notification a summary of flow data reported on discharge monitoring reports for the previous year and any other supporting documentation to be used as the basis for the flow determination.

I. REAPPLICATION FOR A PERMIT

The Department is implementing a schedule for issuance of discharge permits grouped by geographical areas (watersheds). To implement the watershed-based schedule, the Department may revoke and reissue this permit concurrently with other permits in the watershed.

Unless the Department grants permission for a later date, the permittee shall submit a renewal application by no later than 10/01/2012, or notify the Department of the intent to cease discharging by the expiration date.

In the event that a timely and sufficient reapplication has been submitted and the Department is unable, through no fault of the permittee, to issue a new permit before the expiration date of this permit, the terms and conditions of this permit are automatically continued and remain fully effective and enforceable.

J. PERMIT REOPENER FOR TOTAL MAXIMUM DAILY LOAD (TMDL)

1. This permit may be reopened as a major modification to implement any applicable requirements associated with a Total Maximum Daily Load (TMDL) issued or approved for this watershed (ANACOSTIA RIVER, 02.14.02.05), including but not limited to: biological indicators.

2. No later than one year and 28 days after the effective date of this permit, the permittee shall submit (to the Industrial Discharge Permits Division) a table of the first twelve months of monitoring results for total nitrogen and total phosphorus. To ensure consistency with the Anacostia River Nutrients/Biochemical Oxygen Demand TMDL approved June 5, 2008, the permit may be reopened to propose effluent limitations upon a determination by the Department that a reasonable potential exists to exceed water quality standards.

K. BIOMONITORING PROGRAM

1. Within three months of the effective date of the permit, the permittee shall submit to the Department for approval a study plan to evaluate wastewater toxicity at Outfall 001 by using biomonitoring. The study plan should include at a minimum a discussion of:

   a. wastewater and production variability
   b. sampling & sample handling
   c. source & age of test organisms
   d. source of dilution water
   e. testing procedures/experimental design
   f. data analysis
   g. quality assurance/quality control
   h. report preparation
   i. testing schedule

2. The testing program shall consist of definitive quarterly chronic testing for one year. This testing shall be initiated no later than three months following the Department's acceptance of the study plan.

   a. Each quarterly testing shall include the Ceriodaphnia survival and reproduction test and the fathead minnow larval survival and growth test.

   b. If the receiving water is estuarine the permittee shall substitute estuarine species for those species specified above. Approved estuarine species for chronic testing are sheepshead minnow, inland silversides, and mysid shrimp. In all cases, testing must include one vertebrate species and one invertebrate species.

3. The samples used for biomonitoring shall be collected at the same time and location as the samples analyzed for the effluent limitations and monitoring requirements for this outfall. For chlorinated effluents, samples shall be collected after dechlorination.

4. The following EPA documents discuss the appropriate methods:

   a. Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, Third Edition, EPA-821-R-02-014, October 2002.

   b. Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition, EPA-821-R-02-013, October 2002.

5. Test results shall be submitted to the Department within one month of completion of each set of tests.

6. Test results shall be reported in accordance with MDE WMA "Reporting Requirements for Effluent Biomonitoring Data," 3/21/03.

7. As a minimum, the reported chronic results shall be expressed as NOEC, LOEC, ChV, and IC$_{25}$s.

8. If significant mortality occurs during the first 48 hours of the chronic tests, 48-hour LC50s shall be calculated and reported along with the chronic results.

9. If testing is not performed in accordance with MDE-approved study plan, additional testing shall be required by the Department.

10. If the test results of any two consecutive valid toxicity tests conducted within any 12-month period show acute or chronic toxicity, the permittee shall repeat the test within 30 days to confirm the findings of acute or chronic toxicity. If acute and/or chronic toxicity is confirmed, the permittee shall:

a. Eliminate the source of toxicity through operational changes as soon as possible but in any case not longer than within three months, or

b. Perform a TRE. If the permittee repeats the toxicity testing as stated above and the results of the repeat test do not confirm the acute or chronic toxicity, the Department will require the permittee to repeat the toxicity testing as stated above to reconfirm a finding of no acute or chronic toxicity. After reconfirmation, the permittee shall complete any remaining quarterly testing required.

11. If plant processes or operations change so that there is a significant change in the nature of the wastewater, the Department may require the permittee to conduct a new set of tests.

12. Submit all Biomonitoring related materials to:

Maryland Department of the Environment
Water Management Administration
Compliance Program
1800 Washington Boulevard, Suite 420
Baltimore, Maryland 21230-1708

L. TOXICITY REDUCTION EVALUATION

The permittee shall conduct a Toxicity Reduction Evaluation (TRE) when a review of toxicity test data by the Department indicates unacceptable acute or chronic effluent toxicity. A TRE is an investigation conducted to identify the causative agents of effluent toxicity, isolate the source(s), determine the effectiveness of control options, implement the necessary control measures and then confirm the reduction in toxicity.

1. Within 90 days following notification by the Department that a TRE is required, the permittee shall submit a plan of study and schedule for conducting a TRE. The permittee shall conduct the TRE study consistent with the submitted plan and schedule.

2. This plan should follow the framework presented in Generalized Methods for Conducting Industrial Toxicity Reduction Evaluations (EPA/600/2-88/070).

3. Beginning 60 days following the date of the Department's acceptance of the TRE study plan and every 60 days thereafter, the permittee shall submit progress reports including all relevant test data to the Department. This shall continue until completion of the toxicity reduction confirmation.

4. Within 60 days following completion of the toxicity identification, or the source identification phase of the TRE, the permittee shall submit to the Department a plan and schedule for implementing those measures necessary to eliminate acute toxicity and or reduce chronic

toxicity to acceptable levels. The implementation of these measures shall begin immediately upon submission of this plan.

5. Within 60 days after completing implementation of the control measures to eliminate or reduce toxicity, the permittee shall submit to the Department for approval a study plan to confirm the elimination or reduction of toxicity by using biomonitoring.

6. If, for any reason, the implemented measures do not result in compliance with the Department's toxicity limitations, the permittee shall continue the TRE.

M. MIXING ZONES AND POLLUTION PREVENTION – [Reserved]

N. PROTECTION OF WATER QUALITY

It is a violation of this permit to discharge any substance not otherwise listed under the permit's "Effluent Limitations and Monitoring Requirements" special conditions at a level which would cause or contribute to any exceedance of the numerical water quality standards in COMAR 26.08.02.03 unless the level and the substance were disclosed in writing in the permit application prior to the issuance of the permit. If a discharge regulated by this permit causes or contributes to an exceedance of the water quality standards in COMAR 26.08.02.03, including but not limited to the general water quality standards, the Department is authorized to exercise its powers to modify, suspend or revoke this permit.

O. USE OF CHEMICAL CONDITIONERS IN COOLING WATER

1. If not already submitted with the permit application, no later than 30 days after the effective date of coverage under this permit, the permittee shall submit to the Department (Industrial Discharge Permits Division) the name of all previously authorized water treatment additives currently in use at the facility and potentially discharging to surface water of the State. No later than ten days after changing or adding any water treatment chemicals, the permittee shall submit the names of the new products to the Department. Accompanying this list shall be corresponding aquatic toxicity data, manufacturer's information on chemical composition of the product, the concentrations that will exist in the effluent (note: material safety data sheets seldom provide all of this information). Based on this information, if the Department determines that wastewater containing the additive is likely to cause toxicity, use of the additives will be prohibited. The Department, however, will approve its use if the permittee performs biomonitoring of the effluent and demonstrates that the effluent is nontoxic.

2. The permittee shall notify the Department (Industrial Discharge Permits Division) if and when it initiates the use of chemical dechlorination, or terminates the practice.

P. STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY – [Reserved]

II. GENERAL CONDITIONS

A. MONITORING AND REPORTING

1. REPRESENTATIVE SAMPLING

Samples and measurements taken as required herein shall be taken at such times as to be representative of the quantity and quality of the discharges during the specified monitoring periods.

2. REPORTING-MONITORING RESULTS SUBMITTED QUARTERLY

Monitoring results obtained during the calendar quarter shall be summarized on a Discharge Monitoring Report form (EPA No. 3320-1). For each effluent characteristic monitored at a frequency of once per month or less and not limited as a monthly average, the results obtained during the reporting period shall be summarized on a single report form for each quarter. More frequently monitored effluent characteristics and effluent characteristics limited as a monthly average shall be reported on a separate form for each calendar month of the reporting period. Results shall be submitted to the Department postmarked no later than the 28th day of the month following the end of the reporting period. Calendar quarter reporting periods end on the last day of the following months: March, June, September and December.

The reports shall be submitted to:

Maryland Department of the Environment
Water Management Administration
Compliance Program
1800 Washington Boulevard, Suite 425
Baltimore, Maryland 21230-1708

3. SAMPLING AND ANALYSIS METHODS

The analytical and sampling methods used shall conform to procedures for the analysis of pollutants as identified in Title 40 CFR Part 136 - "Guidelines Establishing Test Procedures for the Analysis of Pollutants" unless otherwise specified.

4. DATA RECORDING REQUIREMENTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

a. the exact place, date, and time of sampling or measurement;
b. the person(s) who performed the sampling or measurement;
c. the dates and times the analyses were performed;
d. the person(s) who performed the analyses;
e. the analytical techniques or methods used; and
f. the results of all required analyses.

5. MONITORING EQUIPMENT MAINTENANCE

The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation to insure accuracy of measurements.

6. ADDITIONAL MONITORING BY PERMITTEE

If the permittee monitors any pollutant, using approved analytical methods as specified above, at the locations designated herein more frequently than required by this permit, the results of such monitoring, including the increased frequency, shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report form (EPA No. 3320-1).

7. RECORDS RETENTION

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed, calibration and maintenance of instrumentation, and original recordings from continuous monitoring instrumentation shall be retained for a minimum of three years. This period shall be automatically extended during the course of litigation, or when requested by the Department.

B. MANAGEMENT REQUIREMENTS

1. CHANGE IN DISCHARGE

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit at a level in excess of that authorized shall constitute a violation of the terms and conditions of this permit. Anticipated facility expansions, production increases or decreases, or process modifications, which will result in new, different, or an increased discharge of pollutants, shall be reported by the permittee by submission of a new application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the Department. Following such notice, the permit may be modified by the Department to specify and limit any pollutants not previously limited.

2. NONCOMPLIANCE WITH EFFLUENT LIMITATIONS

If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum or daily minimum effluent limitation specified in this permit, the permittee shall notify the Inspection and Compliance Program by telephone at (410) 537-3510 within 24 hours of becoming aware of the noncompliance. Within five calendar days, the permittee shall provide the Department with the following information in writing:

a. a description of the non-complying discharge including its impact upon the receiving waters;

b. cause of noncompliance;

c. anticipated time the condition of noncompliance is expected to continue or if such condition has been corrected, the duration of the period of noncompliance;

d. steps taken by the permittee to reduce and eliminate the non-complying discharge;

e. steps to be taken by the permittee to prevent recurrence of the condition of noncompliance; and

f. a description of the accelerated or additional monitoring by the permittee to determine the nature and impact of the noncomplying discharge.

3. FACILITIES OPERATION

All treatment, control and monitoring facilities, or systems installed or used by the permittee, are to be maintained in good working order and operated efficiently.

4. ADVERSE IMPACT

The permittee shall take all reasonable steps to minimize or prevent any adverse impact to waters of the State or to human health resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. BYPASSING

Any bypass of treatment facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited unless:

a. the bypass is unavoidable to prevent a loss of life, personal injury or substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources;

b. there are no feasible alternatives;

c. notification is received by the Department within 24 hours (if orally notified, then followed by a written submission within five calendar days of the permittee's becoming aware of the bypass). Where the need for a bypass is known (or should have been known) in advance, this notification shall be submitted to the Department for approval at least ten calendar days before the date of bypass or at the earliest possible date if the period of advance knowledge is less than ten calendar days; and

d. the bypass is allowed under conditions determined by the Department to be necessary to minimize adverse effects.

6. CONDITIONS NECESSARY FOR DEMONSTRATION OF AN UPSET

An upset shall constitute an affirmative defense to an action brought for noncompliance with technology-based effluent limitations only if the permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

a. an upset occurred and that the permittee can identify the specific cause(s) of the upset;

b. the permitted facility was at the time being operated in a prudent and workman-like manner and in compliance with proper operation and maintenance procedures;

c. the permittee submitted a 24-hour notification of upset in accordance with the reporting requirements of General Condition II.B.2 above;

d. the permittee submitted, within five (5) calendar days of becoming aware of the upset, documentation to support and justify the upset; and

e. the permittee complied with any remedial measures required to minimize adverse impact.

7. REMOVED SUBSTANCES

Wastes such as solids, sludges, or other pollutants removed from or resulting from treatment or control of wastewaters, or facility operations, shall be disposed of in a manner to prevent any removed substances or runoff from such substances from entering or from being placed in a location where they may enter the waters of the State.

8. POWER FAILURE

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

a. provide an alternative power source sufficient to operate the wastewater collection and treatment facilities or,

b. halt, reduce or otherwise control production and all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater collection and treatment facilities.

C. RESPONSIBILITIES

1. RIGHT OF ENTRY

The permittee shall permit the Secretary of the Department, the Regional Administrator for the Environmental Protection Agency, or their authorized representatives, upon the presentation of credentials to:

a. enter upon the permittee's premises where an effluent source is located or where any records are required to be kept under the terms and conditions of this permit;

b. access and copy, at reasonable times, any records required to be kept under the terms and conditions of this permit;

c. inspect, at reasonable times, any monitoring equipment or monitoring method required in this permit;

d. inspect, at reasonable times, any collection, treatment, pollution management, or discharge facilities required under this permit; and

e. sample, at reasonable times, any discharge of pollutants.

2. TRANSFER OF OWNERSHIP OR CONTROL OF FACILITIES

In the event of any change in ownership or control of facilities from which the authorized discharge emanates, the permit may be transferred to another person if:

a. the permittee notifies the Department in writing, of the proposed transfer;

b. a written agreement, indicating the specific date of proposed transfer of permit coverage and acknowledging responsibilities of current and new permittees for compliance with the liability for the terms and conditions of this permit, is submitted to the Department; and

c. neither the current permittee nor the new permittee receive notification from the Department, within 30 calendar days, of intent to modify, revoke, reissue or terminate the existing permit.

3. REAPPLICATION FOR A PERMIT [Reserved]

4. AVAILABILITY OF REPORTS

Except for data determined to be confidential under Section 308 of the Clean Water Act, 33 U.S.C. § 1318, all submitted data shall be available for public inspection at the offices of the Department and the Regional Administrator of the Environmental Protection Agency.

5. PERMIT MODIFICATION

A permit may be modified by the Department upon written request of the permittee and after notice and opportunity for a public hearing in accordance with and for the reasons set forth in 40 CFR § 122.62 and 122.63.

6. PERMIT MODIFICATION, SUSPENSION, OR REVOCATION

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked and reissued in whole or in part during its term for causes including, but not limited to, the following:

a. violation of any terms or conditions of this permit;

b. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;

c. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; or

d. a determination that the permitted discharge poses a threat to human health or welfare or to the environment and can only be regulated to acceptable levels by permit modification or termination.

7. TOXIC POLLUTANTS

If a toxic effluent standard or prohibition (including any schedule of compliance specified in such toxic effluent standard or prohibition) is established by the U.S. Environmental Protection Agency, or pursuant to Section 9-314 of the Environment Article, Annotated Code of Maryland, for a toxic pollutant which is present in the discharges authorized herein and such standard is more stringent than any limitation upon such pollutant in this permit, this permit shall be revoked and reissued or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified. Any effluent standard established in this case for a pollutant which is injurious to human health is effective and enforceable by the time set forth in the promulgated standard, even absent permit modification.

8. OIL AND HAZARDOUS SUBSTANCES PROHIBITED

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibility, liability, or penalties to which the permittee may be subject under Section 311 of the Clean Water Act (33. U.S.C. § 1321), or under the Annotated Code of Maryland.

9. CIVIL AND CRIMINAL LIABILITY

Except as provided in permit conditions on "bypassing," "upset," and "power failure," nothing in this permit shall be construed to preclude the institution of any legal action nor relieve the permittee from civil or criminal responsibilities and/or penalties for noncompliance with Title 9 of the Environment Article, Annotated Code of Maryland or any federal, local, or other State law or regulation.

10. PROPERTY RIGHTS/COMPLIANCE WITH OTHER REQUIREMENTS

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, State or local laws or regulations.

11. SEVERABILITY

The provisions of this permit are severable. If any provisions of this permit shall be held invalid for any reason, the remaining provisions shall remain in full force and effect. If the application of any provision of this permit to any circumstances is held invalid, its application to other circumstances shall not be affected.

12. WATER CONSTRUCTION AND OBSTRUCTION

This permit does not authorize the construction or placing of physical structures, facilities, or debris, or the undertaking of related activities in any waters of the State.

13. COMPLIANCE WITH WATER POLLUTION ABATEMENT STATUTES

The permittee shall comply at all times with the provisions of the Environment Article, Title 7, Subtitle 2 and Title 9, Subtitle 3 of the Annotated Code of Maryland and the Clean Water Act, 33 U.S.C. § 1251 et seq.

14. ACTION ON VIOLATIONS

The issue or reissue of this permit does not constitute a decision by the State not to proceed in administrative, civil, or criminal action for any violations of State law or regulations occurring before the issue or reissue of this permit, nor a waiver of the State's right to do so.

15. CIVIL PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS

In addition to civil penalties for violations of State water pollution control laws set forth in Section 9-342 of the Environment Article, Annotated Code of Maryland, the Clean Water Act provides that any person who violates Section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act or in a permit issued under Section 404 of the Act, is subject to a civil penalty not to exceed $27,500 per day for each violation.

16. CRIMINAL PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS

In addition to criminal penalties for violations of State water pollution control laws set forth in Section 9-343 of the Environment Article, Annotated Code of Maryland, the Clean Water Act provides that:

a. any person who negligently violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than one (1) year, or by both.

b. any person who knowingly violates Section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or by imprisonment for not more than three (3) years, or by both.

c. any person who knowingly violates Section 301, 302, 306, 307, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, is subject to a fine of not more $25,000 or imprisonment of not more than 15 years, or both.

d. any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with or renders inaccurate any monitoring device or method required to be maintained under the Act, is subject to a fine of not more than $10,000 or by imprisonment for not more than two (2) years, or by both.

17. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

18. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Director shall be signed and certified as required by 40 CFR 122.22.

19. REOPENER CLAUSE FOR PERMITS

This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301, 304, and 307 of the Clean Water Act [33 USCS §§ 1311, 1314, 1317] if the effluent standard or limitation so issued or approved:

a. contains different conditions or is otherwise more stringent than any effluent limitation in this permit or

b. controls any pollutant not limited in this permit. This permit, as modified or reissued under this paragraph, shall also contain any other requirements of the Act then applicable.

D. AUTHORITY TO ISSUE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

On September 5, 1974, the Administrator of the U.S. Environmental Protection Agency approved the proposal submitted by the State of Maryland for the operation of a permit program for discharges into navigable waters pursuant to Section 402 of the Clean Water Act, 33 U.S.C. Section 1342.

Pursuant to the aforementioned approval, this discharge permit is both a State of Maryland discharge permit and a NPDES permit.

This permit and the authorization to discharge shall expire at midnight on the expiration date. The permittee shall not discharge after that date unless a new application has been submitted to the Department in accordance with the renewal application provisions of this permit.

Jay G. Sakai, Director
Water Management Administration

Map center is UTM 18 330408E 4318804N (WGS84/NAD83)
Beltsville quadrangle
Projection is UTM Zone 18 NAD83 Datum

M=-10.865
G=-1.233

ATTACHMENT C

Maryland Department of Environment
Water Management Administration
Compliance Program - Western Division
33 W Franklin St, Ste 302, Hagerstown, MD 21742
301-665-2850

Field Inspection Report by: Oladapo John

Media Type(s): NPDES Industrial Minor Surface Water

Inspection Date: May 24, 2012

Site Name: National Archives & Records Administration

Facility Address: 8601 Adelphi Rd, College Park, MD 20740

County: Prince George's County

NPDES Industrial Minor Surface Water

Permit / Approval Numbers: 09-DP-2904

Site Status: Active

Site Condition: Noncompliance

Contact(s):
Lawrence M. Holley Sr. –NARA Representative
Walter D. Hayes –LB&B Program Manager
Jonathan Mack –LB&B Safety/QA Manager
Ivan W. Austin –LB&B Chief Engineer

Recommended Action: Additional Investigation Required, Continue Routine Investigation, Refer to Others (See Findings)

Inspection Reason: Routine Scheduled

Evidence Collected:
Visual Observation

Inspection Findings:

This date, I revisited the NARA facility on Adelphi Road to determine the compliance status of the Industrial discharge permit associated with the site. I got to the site around 1000 hours, went through the security clearance and finally met Jonathan Mack of LB&B onsite. We talked briefly about my previous visit and my recommendation to submit the DMR's to both MDE's Baltimore and Hagerstown office. He advised they send the generated DMRs to the appropriate address on the permit. He further explained LB&B through NALCO monitors and take samples during routine maintenance called blow down once every 4 months.
After reviewing the permit conditions and the associated DMRs, I noticed LB&B does not monitor Total Zinc, Dissolved Zinc, Water Hardness (as CaCO3), Total Nitrogen and Phosphorus as required by the permit. Mr. Mack advised LB&B thought the renewed permit carries the same conditions as the old permit.

We later went to cooling tower, visual inspection show no form of discharge at outfall 001 today. I requested for the field notes records including raw data, calibration, maintenance records, reports and chain of custody for all their

Inspection Date: May 24, 2012
Site Name: National Archives & Records Administration
Facility Address: 8601 Adelphi Rd, College Park, MD 20740

previous DMRs, Mr. Mack advised NALCO has all the records. I advised the compliance program will like to document all the chain of custodies associated with the previous DMR's. I recommend and asked LB&B to mail all associated documents to MDE's Hagerstown office during my inspection today.

Violations and Recommendation :
Under active permit, MDE require LB&B to retain a minimum of 3 years worth of monitoring records including raw data, field records calibration and maintenance records; and reports? [COMAR 26.08.04.03.03B(1)].
Retain raw data and field notes on site. Further more, submit all chain of custodies associated with the DMRs for the past 2 years.

The special conditions on the permit renewed December 1st 2009 calls for the monitoring of Total Zinc, Dissolved Zinc, Water Hardness (as CaCO3), Total Nitrogen and Phosphorus. Use, monitor and record all the required parameters on your DMR for the next quarter.

STATE LAW PROVIDES FOR PENALTIES FOR VIOLATIONS OF MARYLAND ENVIRONMENTAL ARTICLE TITLE 9. THE MARYLAND DEPARTMENT OF THE ENVIRONMENT MAY SEEK PENALTIES FOR THE AFORMENTIONED VIOLATIONS OF TITLE 9 ON THIS SITE

NPDES Industrial Minor Surface Water - Inspection Checklist

Inspection Item	*Status*	*Comments*
1. Does the facility have a discharge permit? [Environment Article §9-323a(1-3)]	No Violations Observed	
2. Is the discharge permit current? Has facility applied for renewal? [Environment Article §9-328a(1)]	No Violations Observed	
3. Is the facility as described in the current permit? Are treatment processes as described in the current permit? [COMAR 26.08.04.01.01B(4)]	Out of Compliance	The treatment process is not in compliance with the current permit
4. Has notification been submitted about any new, different or increased discharges? [40 CFR Part 122 Subpart C Section 122.42.b(1-3)]	Not Applicable	
5. Is the number and location of discharge points as described in the discharge permit? [Environment Article §9-3314]	No Violations Observed	
6. Has permittee submitted correct name and address of receiving waters? [40 CFR 122.21.j(3)]	No Violations Observed	
7. Is the permittee meeting the compliance schedule per permit requirements? [COMAR 26.08.04.02-1.02-1A(3)]	No Violations Observed-Violation Trend Observed	

Inspection Date: May 24, 2012
Site Name: National Archives & Records Administration
Facility Address: 8601 Adelphi Rd, College Park, MD 20740

NPDES Industrial Minor Surface Water - Inspection Checklist

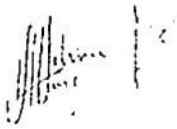
Inspection Item	*Status*	*Comments*
8. Has the operator or superintendent been certified by the Board in the appropriate classification for the facility? [COMAR 26.06.01.05A(1)]	Not Evaluated	
9. Are adequate records being maintained for the sampling date, time, and exact location; analysis dates and times; individual performing analysis; and analytical results? [COMAR 26.08.04.03.03B(3)(a, b, c, e)]	Out of Compliance	Adequate records and field notes are not maintained for the sampling date, time and exact location
10. Are adequate records being maintained for the analytical methods/techniques used? [COMAR 26.08.04.03.03B(3)(d)]	Out of Compliance	Adequate records are not maintained for analytical methods/techniques used
11. Does the permittee retained a minimum of 3 years worth of monitoring records including raw data and original strip chart recordings; calibration and maintenance records; and reports? [COMAR 26.08.04.03.03B(1)]	No Violations Observed-Violation Trend Observed	
12. Is the lab and monitoring equipment being properly calibrated and maintained? Are they keeping records to reflect this? [Environment Article §9-3313]	Not Evaluated	
13. Is laboratory controls and appropriate quality assurance procedures properly operated and maintained? [40 CFR Part 122 Subpart C Section 122.41.e]	Not Evaluated	
14. Has the permittee submitted the monitoring results on the proper Discharge Monitoring Report form? [COMAR 26.08.04.03.03C(1)]	No Violations Observed	
15. Has the permittee submitted these results within the allotted time? [COMAR 26.08.04.03.03C(2)]	No Violations Observed	
16. Are discharge monitoring reports complete and reflect permit conditions? [COMAR 26.08.04.03B(3)]	Out of Compliance	DMR's does not reflect the permit conditions
17. Is the facility being properly operated and maintained including:(a) stand-by power or equivalent provisions available, (b) adequate alarm system for power or equipment failure available, (c) all treatments units are in service, . [40 CFR Part 122 Subpart C Section 122.41.e]	Not Evaluated	
18. Is sewage sludge managed correctly per permit requirements? [COMAR 26.04.06.03.03]	Not Applicable	
19. Any by-pass since last inspection? Has permittee submitted notice of any by-pass? [40 CFR Part 122 Subpart C Section 122.41.m(4)(i)(C)]	Not Evaluated	

Inspection Date: May 24, 2012
Site Name: National Archives & Records Administration
Facility Address: 8601 Adelphi Rd, College Park, MD 20740

NPDES Industrial Minor Surface Water - Inspection Checklist

Inspection Item	*Status Comments*	
20. Any non-complying discharges experienced since last inspection? Has regulatory agency been notified? [40 CFR Part 122 Subpart C Section 122.41.l(6)]	Not Evaluated	
21. Have overflows occurred since the last inspection? [COMAR 26.08.10.02A]	Not Evaluated	
22. Has records of overflows been maintained at the facility for at least five years? [COMAR 26.08.10.06A-B]	Not Evaluated	
23. Are flow measuring devices properly installed and operated, calibration frequency of flow meter adequate, flow measurement equipment adequate to handle expected ranges of flow? [40 CFR Part 122 Subpart C Section 122.41.e]	Not Evaluated	
24. Are discharge monitoring points adequate for representative sampling? Do parameters and sampling frequency meet the minimum requirements? Does the permittee use the method of sample collection required by the permit? [Environment Article §9-331(4)]	N Violations Observed	
25. Are analytical testing procedures approved by EPA? If alternate analytical procedures are used, proper approval has been obtained? [COMAR 26.08.01.02B(1)]	Out of Compliance	Analytical testing procedures not approved by EPA
26. Has the permittee notified the Department of the name and address of the commercial laboratory? [COMAR 26.08.04.03.03A(3)]	No Violations Observed	
27. Were discharges observed at the authorized outfalls? Does the facility have any unauthorized discharges to waters of the State? [Environment Article §9-322]	No Violations Observed	
28. Does the discharges or receiving waters have any visible pollutants (oil sheen, grease, turbidity, foam, floating solids, color), odor, noncompliant DO concentrations, and/or noncompliant temperature ranges? [Environment Article §9-314b(1)]	Not Evaluated	
29. Were discharge samples collected? [Environment Article §9-261c(1)]	Not Evaluated	
30. Is the facility required to have a storm water pollution prevention plan? Has storm water pollution prevention plan been developed and implemented as required? Does storm water pollution prevention plan require modifications to prevent runoff of pollutants? [40 CFR Part 122 Subpart B Section 122.26.c(1)(i)(A-B)]	No Violations Observed	
31. Are the permit conditions being met? [Environment Article §9-326a(1)]	Out of Compliance	Permit conditions are not being met

Inspection Date: May 24, 2012
Site Name: National Archives & Records Administration
Facility Address: 8601 Adelphi Rd, College Park, MD 20740



Inspector: _____ Received by: _____
Oladapo John

ATTACHMENT D

Please print or type in the unshaded areas only.

Form Approved. OMB No. 2040-0086.

FORM 1 GENERAL

EPA

U.S. ENVIRONMENTAL PROTECTION AGENCY
GENERAL INFORMATION
Consolidated Permits Program
(Read the "General Instructions" before starting.)

I. EPA I.D. NUMBER

1	2	T/A	C
F	MDR000004689		D

LABEL ITEMS

- I. EPA I.D. NUMBER
- III. FACILITY NAME
- V. FACILITY MAILING ADDRESS
- VI. FACILITY LOCATION

FEB 20 2015

PLEASE PLACE LABEL IN THIS SPACE

GENERAL INSTRUCTIONS

If a preprinted label has been provided, affix it in the designated space. Review the information carefully; if any of it is incorrect, cross through it and enter the correct data in the appropriate fill-in area below. Also, if any of the preprinted data is absent *(the area to the left of the label space lists the information that should appear)*, please provide it in the proper fill-in area(s) below. If this label is complete and correct, you need not complete items I, III, V, and VI *(except VI-B which must be completed regardless)*. Complete all items if no label has been provided. Refer to the instructions for detailed item descriptions and for the legal authorizations under which this data is collected.

II. POLLUTANT CHARACTERISTICS

INSTRUCTIONS: Complete A through J to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any questions, you must submit this form and the supplemental form listed in the parenthesis following the question. Mark "X" in the box in the third column if the supplemental form is attached. If you answer "no" to each question, you need not submit any of these forms. You may answer "no" if your activity is excluded from permit requirements; see Section C of the instructions. See also, Section D of the instructions for definitions of **bold-faced terms.**

SPECIFIC QUESTIONS	Mark "X" YES	NO	FORM ATTACHED
A. Is this facility a **publicly owned treatment works** which results in a **discharge** to **waters of the U.S.**? (FORM 2A)		X	
B. Does or will this facility *(either existing or proposed)* include a **concentrated animal feeding operation** or **aquatic animal production facility** which results in a **discharge** to **waters of the U.S.**? (FORM 2B)		X	
C. Is this a facility which currently results in **discharges** to **waters of the U.S.** other than those described in A or B above? (FORM 2C)	X		X
D. Is this a proposed facility *(other than those described in A or B above)* which will result in a **discharge** to **waters of the U.S.**? (FORM 2D)		X	
E. Does or will this facility treat, store, or dispose of **hazardous wastes**? (FORM 3)	X		
F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water? (FORM 4)		X	
G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons? (FORM 4)		X	
H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy? (FORM 4)		X	
I. Is this facility a proposed **stationary source** which is one of the 28 industrial categories listed in the instructions and which will potentially emit 100 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)		X	
J. Is this facility a proposed **stationary source** which is NOT one of the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an **attainment area**? (FORM 5)		X	

III. NAME OF FACILITY

1 SKIP: NATIONAL ARCHIVESAND RECORDS ADMIN.

IV. FACILITY CONTACT

A. NAME & TITLE *(last, first, & title)*	B. PHONE *(area code & no.)*
2 HOLLEY LAWRENCE, FACILITY MGR	(301) 837-1820

V. FACILTY MAILING ADDRESS

A. STREET OR P.O. BOX

3 8601 ADELPHI ROAD

B. CITY OR TOWN	C. STATE	D. ZIP CODE
4 COLLEGE PARK	MD	20704

VI. FACILITY LOCATION

A. STREET, ROUTE NO. OR OTHER SPECIFIC IDENTIFIER

5 8601 ADELPHI ROAD

B. COUNTY NAME

PRINCE GEORGE

C. CITY OR TOWN	D. STATE	E. ZIP CODE	F. COUNTY CODE *(if known)*
6 COLLEGE PARK	MD	20704	

EPA Form 3510-1 (8-90)

CONTINUE ON REVERSE

CONTINUED FROM THE FRONT

VII. SIC CODES *(4-digit, in order of priority)*

A. FIRST	B. SECOND
8231 (specify) LIBRARIES	(specify) N/A

C. THIRD	D. FOURTH
(specify) N/A	(specify) N/A

VIII. OPERATOR INFORMATION

A. NAME

NATIONAL ARCHIVES AND RECORDS ADMIN.

B. Is the name listed in Item VIII-A also the owner? ☑ YES ☐ NO

C. STATUS OF OPERATOR *(Enter the appropriate letter into the answer box; if "Other," specify.)*

F = FEDERAL
S = STATE
P = PRIVATE
M = PUBLIC *(other than federal or state)*
O = OTHER *(specify)*

F (specify)

D. PHONE *(area code & no.)*

A (301) 837-1820

E. STREET OR P.O. BOX

8601 ADELPHI ROAD

F. CITY OR TOWN

COLLEGE PARK

G. STATE

MD

H. ZIP CODE

20740

IX. INDIAN LAND

Is the facility located on Indian lands? ☐ YES ☑ NO

X. EXISTING ENVIRONMENTAL PERMITS

A. NPDES *(Discharges to Surface Water)*

N MD0065871

D. PSD *(Air Emissions from Proposed Sources)*

P 16-5-0801N

B. UIC *(Underground Injection of Fluids)*

U N/A

E. OTHER *(specify)*

0 3 3-9-1 1 2 6 N (specify) EMERGENCY GENERATOR

C. RCRA *(Hazardous Wastes)*

R MDR000000468 9

E. OTHER *(specify)*

(specify)

XI. MAP

Attach to this application a topographic map of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers, and other surface water bodies in the map area. See instructions for precise requirements.

XII. NATURE OF BUSINESS *(provide a brief description)*

GOVERNMENT RECORDS STORAGE A PRESERVATION FACILITY.

XIII. CERTIFICATION *(see instructions)*

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the application, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A. NAME & OFFICIAL TITLE *(type or print)*	B. SIGNATURE	C. DATE SIGNED
LAWRENCE HOLLEY FACILITY MANAGER	Lawrence N Holley	2/13/15

COMMENTS FOR OFFICIAL USE ONLY

C

ENDWALL TO OUTFALL 001 LOOKING EAST

ENDWALL TO OUTFALL 001 LOOKING WEST TO CENTRAL PLANT

STORMWATER STREAM JOINS DISCHARGE STREAM FROM OUTFALL 001
LOOKING WEST - Small arrow is end wall to Outfall 001 – Large arrow is Stormwater Stream

STORMWATER STREAM LOOKING EAST

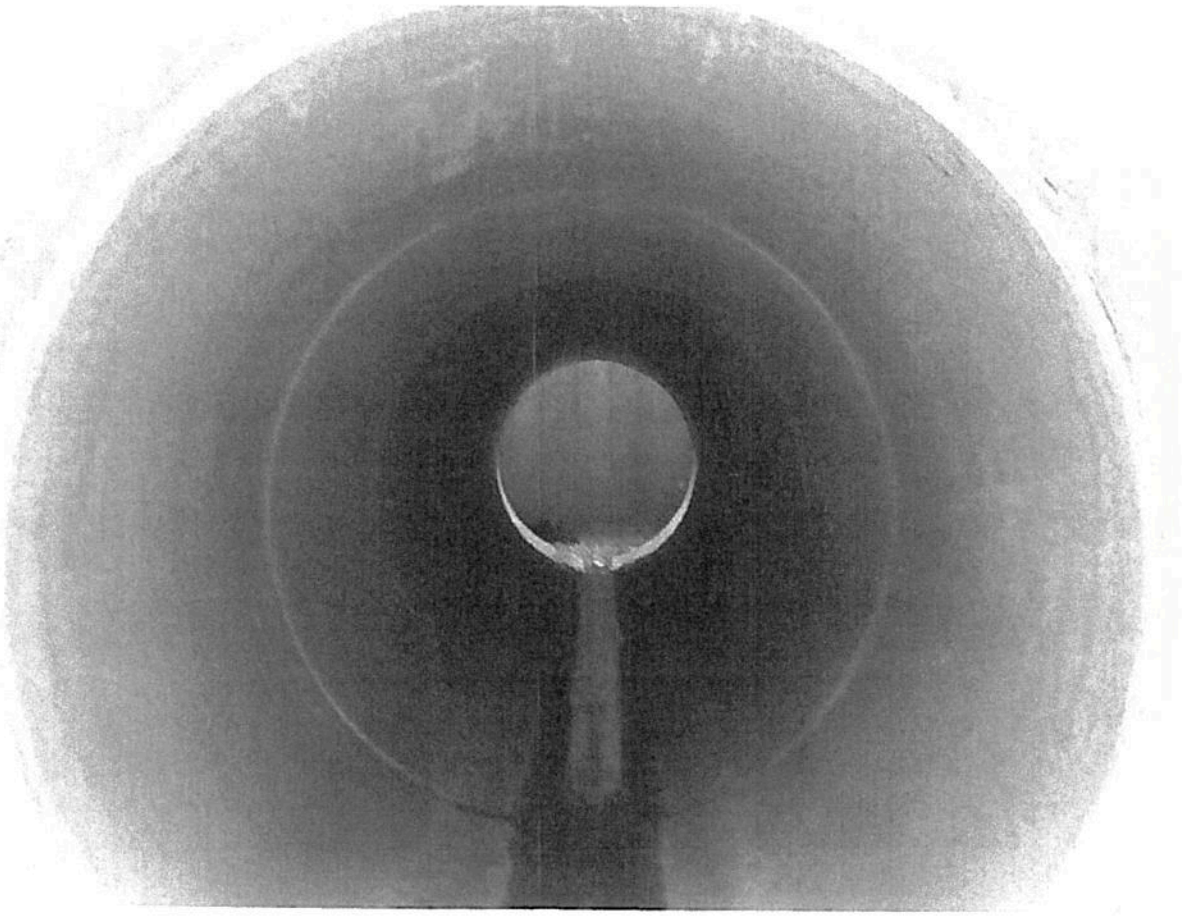
STORMWATER STREAM LOOKING WEST TOWARD OUTFALL 001

STORMWATER STREAM LOOKING EAST TOWARD RETENTION AREA

VIEW OF STORMWATER RETENTION AREA BACK UP STREAM – LOOKING WEST

STORMWATER RETENTION AREA- LOOKING EAST TOWARD GOLF COURSE

ENDWALL FROM STORMWATER RETENTION AREA - LOOKING WEST



VIEW FROM ENDWALL TO RETENTION AREA CATCH BASIN

Please print or type in the unshaded areas only.

EPA I.D. NUMBER (*copy from Item 1 of Form 1*): MDR000004689

Form Approved.
OMB No. 2040-0086.
Approval expires 3-31-98.

FORM 2C NPDES

U.S. ENVIRONMENTAL PROTECTION AGENCY
APPLICATION FOR PERMIT TO DISCHARGE WASTEWATER

EXISTING MANUFACTURING, COMMERCIAL, MINING AND SILVICULTURE OPERATIONS

Consolidated Permits Program

I OUTFALL LOCATION

For each outfall, list the latitude and longitude of its location to the nearest 15 seconds and the name of the receiving water.

A. OUTFALL NUMBER (*list*)	B. LATITUDE			C. LONGITUDE			D. RECEIVING WATER (*name*)
	1. DEG.	2. MIN.	3. SEC.	1. DEG.	2. MIN.	3 SEC.	
01	39	00	09	76	57	33	UNNAMED TRIBUTARY TO PAINT BRANCH

II. FLOWS, SOURCES OF POLLUTION, AND TREATMENT TECHNOLOGIES

A. Attach a line drawing showing the water flow through the facility. Indicate sources of intake water, operations contributing wastewater to the effluent, and treatment units labeled to correspond to the more detailed descriptions in Item B. Construct a water balance on the line drawing by showing average flows between intakes, operations, treatment units, and outfalls. If a water balance cannot be determined (*e.g., for certain mining activities*), provide a pictorial description of the nature and amount of any sources of water and any collection or treatment measures.

B. For each outfall, provide a description of: (1) All operations contributing wastewater to the effluent, including process wastewater, sanitary wastewater, cooling water, and storm water runoff; (2) The average flow contributed by each operation; and (3) The treatment received by the wastewater. Continue on additional sheets if necessary.

1. OUTFALL NO. (*list*)	2. OPERATION(S) CONTRIBUTING FLOW		3. TREATMENT		
	a. OPERATION (*list*)	b. AVERAGE FLOW (*include units*)	a. DESCRIPTION	b. LIST CODES FROM TABLE 2C-1	
				1Q	2J
01	COOLING TOWER DISCHARGE	5,828 GALLONS/day @ 60 GPM	PRE AND POST CARTRIDGE FILTERS AND DUAL 30 CF ION EXCHANGE TANKS IN SERIES		

OFFICIAL USE ONLY (*effluent guidelines sub-categories*)

CONTINUED FROM THE FRONT

C. Except for storm runoff, leaks, or spills, are any of the discharges described in Items II-A or B intermittent or seasonal?

☑ YES (*complete the following table*) ☐ NO (*go to Section III*)

1. OUTFALL NUMBER (*list*)	2. OPERATION(S) CONTRIBUTING FLOW (*list*)	3. FREQUENCY a. DAYS PER WEEK (*specify average*)	3. FREQUENCY b. MONTHS PER YEAR (*specify average*)	4. FLOW A. FLOW RATE (*in mgd*) 1. LONG TERM AVERAGE	4. FLOW A. FLOW RATE (*in mgd*) 2. MAXIMUM DAILY	4. FLOW B. TOTAL VOLUME (*specify with units*) 1. LONG TERM AVERAGE	4. FLOW B. TOTAL VOLUME (*specify with units*) 2. MAXIMUM DAILY	4. FLOW C. DURATION (*in days*)
001	COOLING TOWER DISCHARGE - INTERMITTENT SEE MONTHLY COOLING TOWER DISCHARGE SUMMARY ATTACHED	5 days a week	12	5,828 gal. @ 60 gpm.	66,100 gal. @ 60 gpm.	5,828 gal.	66,100 gal.	258

III. PRODUCTION

A. Does an effluent guideline limitation promulgated by EPA under Section 304 of the Clean Water Act apply to your facility?

☐ YES (*complete Item III-B*) ☑ NO (*go to Section IV*)

B. Are the limitations in the applicable effluent guideline expressed in terms of production (*or other measure of operation*)?

☐ YES (*complete Item III-C*) ☑ NO (*go to Section IV*)

C. If you answered "yes" to Item III-B, list the quantity which represents an actual measurement of your level of production, expressed in the terms and units used in the applicable effluent guideline, and indicate the affected outfalls.

1. AVERAGE DAILY PRODUCTION a. QUANTITY PER DAY	1. AVERAGE DAILY PRODUCTION b. UNITS OF MEASURE	1. AVERAGE DAILY PRODUCTION c. OPERATION, PRODUCT, MATERIAL, ETC. (*specify*)	2. AFFECTED OUTFALLS (*list outfall numbers*)
N/A			

IV. IMPROVEMENTS

A. Are you now required by any Federal, State or local authority to meet any implementation schedule for the construction, upgrading or operations of wastewater treatment equipment or practices or any other environmental programs which may affect the discharges described in this application? This includes, but is not limited to, permit conditions, administrative or enforcement orders, enforcement compliance schedule letters, stipulations, court orders, and grant or loan conditions.

☐ YES (*complete the following table*) ☑ NO (*go to Item IV-B*)

1. IDENTIFICATION OF CONDITION, AGREEMENT, ETC.	2. AFFECTED OUTFALLS a. NO.	2. AFFECTED OUTFALLS b. SOURCE OF DISCHARGE	3. BRIEF DESCRIPTION OF PROJECT	4. FINAL COMPLIANCE DATE a. REQUIRED	4. FINAL COMPLIANCE DATE b. PROJECTED
N/A					

B. OPTIONAL: You may attach additional sheets describing any additional water pollution control programs (*or other environmental projects which may affect your discharges*) you now have underway or which you plan. Indicate whether each program is now underway or planned, and indicate your actual or planned schedules for construction.

☐ MARK "X" IF DESCRIPTION OF ADDITIONAL CONTROL PROGRAMS IS ATTACHED

EPA I.D. NUMBER (*copy from Item 1 of Form 1*)
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CONTINUED FROM PAGE 2

V. INTAKE AND EFFLUENT CHARACTERISTICS

A, B, & C: See instructions before proceeding – Complete one set of tables for each outfall – Annotate the outfall number in the space provided.
NOTE: Tables V-A, V-B, and V-C are included on separate sheets numbered V-1 through V-9.

D. Use the space below to list any of the pollutants listed in Table 2c-3 of the instructions, which you know or have reason to believe is discharged or may be discharged from any outfall. For every pollutant you list, briefly describe the reasons you believe it to be present and report any analytical data in your possession.

1. POLLUTANT	2. SOURCE	1. POLLUTANT	2. SOURCE
N/A			

VI. POTENTIAL DISCHARGES NOT COVERED BY ANALYSIS

Is any pollutant listed in Item V-C a substance or a component of a substance which you currently use or manufacture as an intermediate or final product or byproduct?

☐ YES (*list all such pollutants below*) ☑ NO (*go to Item VI-B*)

CONTINUED FROM THE FRONT

VII. BIOLOGICAL TOXICITY TESTING DATA

Do you have any knowledge or reason to believe that any biological test for acute or chronic toxicity has been made on any of your discharges or on a receiving water in relation to your discharge within the last 3 years?

☑ YES (*identify the test(s) and describe their purposes below*) ☐ NO (*go to Section VIII*)

TOXIC CHEMICAL BIOASSAY
WHOLE EFFLUENT TOXICITY (WET)
SHORT-TERM METHODS FOR ESTIMATING THE CHRONIC TOXICITY OF EFFLUENTS AND RECEIVING WATER TO FRESHWATER ORGANISMS

COASTAL BIOANALYSTS INC.
CONTACT: PETER F. DeLISLE,
TECHNICAL DIRECTOR
6400 ENTERPRISE COURT
GLOUCESTER, VA 23061
PH:804-694-8285

VIII. CONTRACT ANALYSIS INFORMATION

Were any of the analyses reported in Item V performed by a contract laboratory or consulting firm?

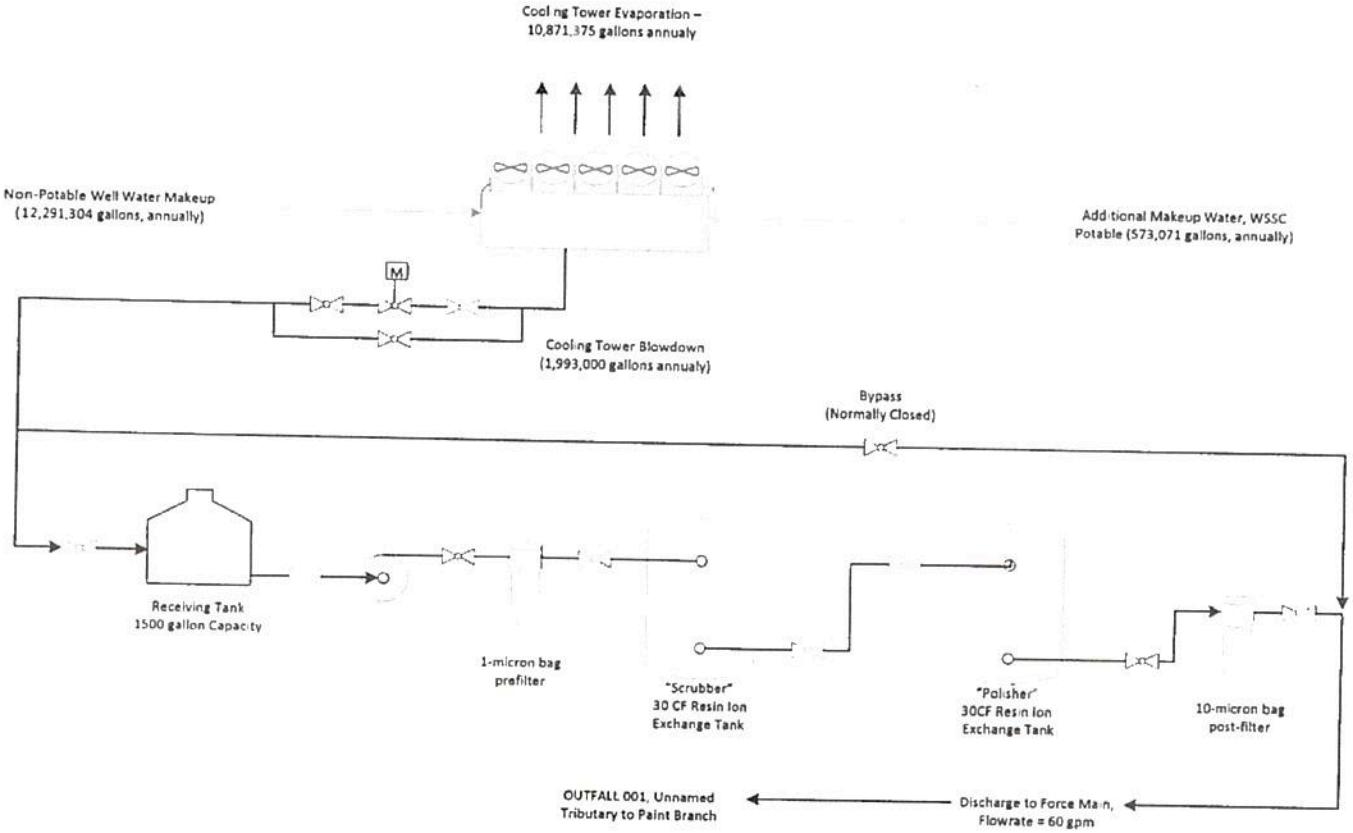
☑ YES (*list the name, address, and telephone number of, and pollutants analyzed by, each such laboratory or firm below*) ☐ NO (*go to Section IX*)

A. NAME	B. ADDRESS	C. TELEPHONE (*area code & no.*)	D. POLLUTANTS ANALYZED (*list*)
BARCLAY WATER MANAGEMENT, INC. MARK PAYTON, CHEMIST	55 CHAPEL STREET NEWTON, MA 02458	617-926-3400	ALUMINUM, DISSOLVED CALCIUM, AS CaCO3 COPPER, AS Cu IRON, AS Fe LEAD, AS Pb MAGNESIUM, AS CaCO3 MANGANESE, AS Mn PHOSPHORUS, AS P POTASSIUM, AS K SILICA, AS SiO2 SULFUR, AS SO4 SODIUM, AS Na ZINC, DISSOLVED TOTAL HARDNESS AS CaCO3 CHLORIDE AS Cl CHLORINE, TOTAL AS Cl2 DISSOLVED OXYGEN NITROGEN, TOTAL AS N

IX. CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

A. NAME & OFFICIAL TITLE (*type or print*)	B. PHONE NO. (*area code & no.*)
LAWRENCE HOLLEY, FACILITY MANAGER	(301) 837-1820
C. SIGNATURE: Lawrence T. Holley Jr	D. DATE SIGNED: 2/13/15


Cooling Tower Evaporation –
10,871,375 gallons annualy
Non-Potable Well Water Makeup
(12,291,304 gallons, annually)
Additional Makeup Water, WSSC
Potable (573,071 gallons, annually)
M
Cooling Tower Blowdown
(1,993,000 gallons annualy)
Bypass
(Normally Closed)
Receiving Tank
1500 gallon Capacity
1-micron bag
prefilter
"Scrubber"
30 CF Resin Ion
Exchange Tank
"Polisher"
30CF Resin Ion
Exchange Tank
10-micron bag
post-filter
OUTFALL 001, Unnamed
Tributary to Paint Branch
Discharge to Force Main,
Flowrate = 60 gpm

PLEASE PRINT OR TYPE IN THE UNSHADED AREAS ONLY. You may report some or all of this information on separate sheets (*use the same format*) instead of completing these pages
SEE INSTRUCTIONS

EPA I.D. NUMBER (*copy from Item 1 of Form 1*)
MDR000004689

V. INTAKE AND EFFLUENT CHARACTERISTICS *(continued from page 3 of Form 2-C)*

OUTFALL NO.
001

PART A –You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details.

1. POLLUTANT	2. EFFLUENT						3. UNITS (*specify if blank*)		4. INTAKE (*optional*)		
	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (*if available*)		c. LONG TERM AVRG. VALUE (*if available*)		d. NO. OF ANALYSES	a. CONCEN-TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
a. Biochemical Oxygen Demand (*BOD*)	N/A							N/A		N/A		
b. Chemical Oxygen Demand (*COD*)	N/A							N/A		N/A		
c. Total Organic Carbon (*TOC*)	N/A							N/A		N/A		
d. Total Suspended Solids (*TSS*)	N/A							N/A		N/A		
e. Ammonia (*as N*)	N/A							N/A		N/A		
f. Flow	VALUE 66,100gal. @ 60gpm		VALUE 177,283gal.@60gpm.		VALUE 5,828 GAL.					VALUE		
g. Temperature (*winter*)	VALUE 31.11C		VALUE		VALUE			°C		VALUE		
h. Temperature (*summer*)	VALUE 29.44C		VALUE		VALUE			°C		VALUE		
i. pH	MINIMUM 7.2	MAXIMUM 8.2	MINIMUM	MAXIMUM				STANDARD UNITS				

PART B – Mark 'X' in column 2-a for each pollutant you know or have reason to believe is present. Mark 'X' in column 2-b for each pollutant you believe to be absent. If you mark column 2a for any pollutant which is limited either directly, or indirectly but expressly, in an effluent limitations guideline, you must provide the results of at least one analysis for that pollutant. For other pollutants for which you mark column 2a, you must provide quantitative data or an explanation of their presence in your discharge. Complete one table for each outfall. See the instructions for additional details and requirements.

1. POLLUTANT AND CAS NO. (*if available*)	2. MARK 'X'		3. EFFLUENT							4. UNITS		5. INTAKE (*optional*)		
	a. BELIEVED PRESENT	b. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (*if available*)		c. LONG TERM AVRG. VALUE (*if available*)		d. NO. OF ANALYSES	a. CONCEN-TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
			(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
a. Bromide (24959-67-9)		X										N/A		
b. Chlorine, Total Residual	X		0.5 mg/l				0.16 mg/l		11			N/A		
c. Color		X										N/A		
d. Fecal Coliform		X										N/A		
e. Fluoride (16984-48-8)		X										N/A		
f. Nitrate-Nitrite (*as N*)		X										N/A		

ITEM V-B CONTINUED FROM FRONT

1. POLLUTANT AND CAS NO. (if available)	2. MARK "X"		3. EFFLUENT							4. UNITS		5. INTAKE (optional)		
	a. BELIEVED PRESENT	b. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
			(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
g. Nitrogen, Total Organic (as N)	X		12.7 mg/l				8.05 mg/l		11			N/A		
h. Oil and Grease		X										N/A		
i. Phosphorus (as P), Total (7723-14-0)	X		5.7 mg/l				4.52 mg/l		11			N/A		
j. Radioactivity														
(1) Alpha, Total		X										N/A		
(2) Beta, Total		X										N/A		
(3) Radium, Total		X										N/A		
(4) Radium 226, Total		X										N/A		
k. Sulfate (as SO_4) (14808-79-8)		X										N/A		
l. Sulfide (as S)		X										N/A		
m. Sulfite (as SO_3) (14265-45-3)		X										N/A		
n. Surfactants		X										N/A		
o. Aluminum, Total (7429-90-5)	X		0.65 mg/l				0.40 mg/l		11			N/A		
p. Barium, Total (7440-39-3)		X										N/A		
q. Boron, Total (7440-42-8)		X										N/A		
r. Cobalt, Total (7440-48-4)		X										N/A		
s. Iron, Total (7439-89-6)	X		0.9 mg/l				0.65 mg/l		11			N/A		
t. Magnesium, Total (7439-95-4)	X		0.12 mg/l				64.52 mg/l		11			N/A		
u. Molybdenum, Total (7439-98-7)		X										N/A		
v. Manganese, Total (7439-96-5)	X		0.37 mg/l				0.08 mg/l		11			N/A		
w. Tin, Total (7440-31-5)		X										N/A		
x. Titanium, Total (7440-32-6)		X										N/A		

EPA I.D. NUMBER (*copy from Item 1 of Form 1*)	OUTFALL NUMBER
MDR000004689	001

CONTINUED FROM PAGE 3 OF FORM 2-C

PART C - If you are a primary industry and this outfall contains process wastewater, refer to Table 2c-2 in the instructions to determine which of the GC/MS fractions you must test for. Mark "X" in column 2-a for all such GC/MS fractions that apply to your industry and for ALL toxic metals, cyanides, and total phenols. If you are not required to mark column 2-a (*secondary industries, nonprocess wastewater outfalls, and nonrequired GC/MS fractions*), mark "X" in column 2-b for each pollutant you know or have reason to believe is present. Mark "X" in column 2-c for each pollutant you believe is absent. If you mark column 2a for any pollutant, you must provide the results of at least one analysis for that pollutant. If you mark column 2b for any pollutant, you must provide the results of at least one analysis for that pollutant if you know or have reason to believe it will be discharged in concentrations of 10 ppb or greater. If you mark column 2b for acrolein, acrylonitrile, 2,4 dinitrophenol, or 2-methyl-4, 6 dinitrophenol, you must provide the results of at least one analysis for each of these pollutants which you know or have reason to believe that you discharge in concentrations of 100 ppb or greater. Otherwise, for pollutants for which you mark column 2b, you must either submit at least one analysis or briefly describe the reasons the pollutant is expected to be discharged. Note that there are 7 pages to this part; please review each carefully. Complete one table (*all 7 pages*) for each outfall. See instructions for additional details and requirements.

1. POLLUTANT AND CAS NUMBER (*if available*)	2. MARK "X"			3. EFFLUENT							4. UNITS		5. INTAKE (*optional*)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (*if available*)		c. LONG TERM AVRG. VALUE (*if available*)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
METALS, CYANIDE, AND TOTAL PHENOLS															
1M. Antimony, Total (7440-36-0)			X										N/A		
2M. Arsenic, Total (7440-38-2)			X										N/A		
3M. Beryllium, Total (7440-41-7)			X										N/A		
4M. Cadmium, Total (7440-43-9)			X										N/A		
5M. Chromium, Total (7440-47-3)			X										N/A		
6M. Copper, Total (7440-50-8)		X		0.37 mg/l				0.27 mg/l		11			N/A		
7M. Lead, Total (7439-92-1)		X		0.05 mg/l				<0.01 mg.		11			N/A		
8M. Mercury, Total (7439-97-6)			X										N/A		
9M. Nickel, Total (7440-02-0)			X										N/A		
10M. Selenium, Total (7782-49-2)			X										N/A		
11M. Silver, Total (7440-22-4)			X										N/A		
12M. Thallium, Total (7440-28-0)			X										N/A		
13M. Zinc, Total (7440-66-6)		X		0.15 mg/l				0.08 mg/l		11			N/A		
14M. Cyanide, Total (57-12-5)			X										N/A		
15M. Phenols, Total			X										N/A		
DIOXIN															
2,3,7,8-Tetra-chlorodibenzo-P-Dioxin (1764-01-6)			X	DESCRIBE RESULTS											

CONTINUE ON REVERSE

CONTINUED FROM THE FRONT

1. POLLUTANT AND CAS NUMBER (*if available*)	2. MARK "X"			3. EFFLUENT							4. UNITS		5. INTAKE (*optional*)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (*if available*)		c. LONG TERM AVRG. VALUE (*if available*)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
GC/MS FRACTION – VOLATILE COMPOUNDS															
1V. Acrolein (107-02-8)			X										N/A		
2V. Acrylonitrile (107-13-1)			X										N/A		
3V. Benzene (71-43-2)			X										N/A		
4V. Bis (*Chloromethyl*) Ether (542-88-1)			X										N/A		
5V. Bromoform (75-25-2)			X										N/A		
6V. Carbon Tetrachloride (56-23-5)			X										N/A		
7V. Chlorobenzene (108-90-7)			X										N/A		
8V. Chlorodibromomethane (124-48-1)			X										N/A		
9V. Chloroethane (75-00-3)			X										N/A		
10V. 2-Chloroethylvinyl Ether (110-75-8)			X										N/A		
11V. Chloroform (67-66-3)			X										N/A		
12V. Dichlorobromomethane (75-27-4)			X										N/A		
13V. Dichlorodifluoromethane (75-71-8)			X										N/A		
14V. 1,1-Dichloroethane (75-34-3)			X										N/A		
15V. 1,2-Dichloroethane (107-06-2)			X										N/A		
16V. 1,1-Dichloroethylene (75-35-4)			X										N/A		
17V. 1,2-Dichloropropane (78-87-5)			X										N/A		
18V. 1,3-Dichloropropylene (542-75-6)			X										N/A		
19V. Ethylbenzene (100-41-4)			X										N/A		
20V. Methyl Bromide (74-83-9)			X										N/A		
21V. Methyl Chloride (74-87-3)			X										N/A		

CONTINUE ON PAGE V-5

CONTINUED FROM PAGE V-4

1. POLLUTANT AND CAS NUMBER (*if available*)	2. MARK "X"			3. EFFLUENT							4. UNITS		5. INTAKE (*optional*)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (*if available*)		c. LONG TERM AVRG. VALUE (*if available*)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
GC/MS FRACTION – VOLATILE COMPOUNDS (*continued*)															
22V. Methylene Chloride (75-09-2)			X										N/A		
23V. 1,1,2,2-Tetrachloroethane (79-34-5)			X										N/A		
24V. Tetrachloroethylene (127-18-4)			X										N/A		
25V. Toluene (108-88-3)			X										N/A		
26V. 1,2-Trans-Dichloroethylene (156-60-5)			X										N/A		
27V. 1,1,1-Trichloroethane (71-55-6)			X										N/A		
28V. 1,1,2-Trichloroethane (79-00-5)			X										N/A		
29V Trichloroethylene (79-01-6)			X										N/A		
30V. Trichlorofluoromethane (75-69-4)			X										N/A		
31V. Vinyl Chloride (75-01-4)			X										N/A		
GC/MS FRACTION – ACID COMPOUNDS															
1A. 2-Chlorophenol (95-57-8)			X										N/A		
2A. 2,4-Dichlorophenol (120-83-2)			X										N/A		
3A. 2,4-Dimethylphenol (105-67-9)			X										N/A		
4A. 4,6-Dinitro-O-Cresol (534-52-1)			X										N/A		
5A. 2,4-Dinitrophenol (51-28-5)			X										N/A		
6A. 2-Nitrophenol (88-75-5)			X										N/A		
7A. 4-Nitrophenol (100-02-7)			X										N/A		
8A. P-Chloro-M-Cresol (59-50-7)			X										N/A		
9A. Pentachlorophenol (87-86-5)			X										N/A		
10A. Phenol (108-95-2)			X										N/A		
11A. 2,4,6-Trichlorophenol (88-05-2)			X										N/A		

CONTINUE ON REVERSE

CONTINUED FROM THE FRONT

1. POLLUTANT AND CAS NUMBER (*if available*)	2. MARK "X"			3. EFFLUENT							4. UNITS		5. INTAKE (*optional*)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (*if available*)		c. LONG TERM AVRG. VALUE (*if available*)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
GC/MS FRACTION – BASE/NEUTRAL COMPOUNDS															
1B. Acenaphthene (83-32-9)			X										N/A		
2B. Acenaphtylene (208-96-8)			X										N/A		
3B. Anthracene (120-12-7)			X										N/A		
4B. Benzidine (92-87-5)			X										N/A		
5B. Benzo (*a*) Anthracene (56-55-3)			X										N/A		
6B. Benzo (*a*) Pyrene (50-32-8)			X										N/A		
7B. 3,4-Benzo-fluoranthene (205-99-2)			X										N/A		
8B. Benzo (*ghi*) Perylene (191-24-2)			X										N/A		
9B. Benzo (*k*) Fluoranthene (207-08-9)			X										N/A		
10B. Bis (*2-Chloro-ethoxy*) Methane (111-91-1)			X										N/A		
11B. Bis (*2-Chloro-ethyl*) Ether (111-44-4)			X										N/A		
12B. Bis (*2-Chloroisopropyl*) Ether (102-80-1)			X										N/A		
13B. Bis (*2-Ethyl-hexyl*) Phthalate (117-81-7)			X										N/A		
14B. 4-Bromophenyl Phenyl Ether (101-55-3)			X										N/A		
15B. Butyl Benzyl Phthalate (85-68-7)			X										N/A		
16B. 2-Chloro-naphthalene (91-58-7)			X										N/A		
17B. 4-Chloro-phenyl Phenyl Ether (7005-72-3)			X										N/A		
18B. Chrysene (218-01-9)			X										N/A		
19B. Dibenzo (*a,h*) Anthracene (53-70-3)			X										N/A		
20B. 1,2-Dichloro-benzene (95-50-1)			X										N/A		
21B. 1,3-Di-chloro-benzene (541-73-1)			X										N/A		

CONTINUED FROM PAGE V-6

1. POLLUTANT AND CAS NUMBER (*if available*)	2. MARK "X"			3. EFFLUENT							4. UNITS		5. INTAKE (*optional*)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (*if available*)		c. LONG TERM AVRG. VALUE (*if available*)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
GC/MS FRACTION – BASE/NEUTRAL COMPOUNDS (*continued*)															
22B. 1,4-Dichlorobenzene (106-46-7)			X										N/A		
23B. 3,3-Dichlorobenzidine (91-94-1)			X										N/A		
24B. Diethyl Phthalate (84-66-2)			X										N/A		
25B. Dimethyl Phthalate (131-11-3)			X										N/A		
26B. Di-N-Butyl Phthalate (84-74-2)			X										N/A		
27B. 2,4-Dinitrotoluene (121-14-2)			X										N/A		
28B. 2,6-Dinitrotoluene (606-20-2)			X										N/A		
29B. Di-N-Octyl Phthalate (117-84-0)			X										N/A		
30B. 1,2-Diphenylhydrazine (*as Azobenzene*) (122-66-7)			X										N/A		
31B. Fluoranthene (206-44-0)			X										N/A		
32B. Fluorene (86-73-7)			X										N/A		
33B. Hexachlorobenzene (118-74-1)			X										N/A		
34B. Hexachlorobutadiene (87-68-3)			X										N/A		
35B. Hexachlorocyclopentadiene (77-47-4)			X										N/A		
36B. Hexachloroethane (67-72-1)			X										N/A		
37B. Indeno (1,2,3-cd) Pyrene (193-39-5)			X										N/A		
38B. Isophorone (78-59-1)			X										N/A		
39B. Naphthalene (91-20-3)			X										N/A		
40B. Nitrobenzene (98-95-3)			X										N/A		
41B. N-Nitrosodimethylamine (62-75-9)			X										N/A		
42B. N-Nitrosodi-N-Propylamine (621-64-7)			X										N/A		

CONTINUE ON REVERSE

CONTINUED FROM THE FRONT

1. POLLUTANT AND CAS NUMBER (*if available*)	2. MARK "X"			3. EFFLUENT							4. UNITS		5. INTAKE (*optional*)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (*if available*)		c. LONG TERM AVRG. VALUE (*if available*)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
GC/MS FRACTION – BASE/NEUTRAL COMPOUNDS (*continued*)															
43B. N-Nitrosodiphenylamine (86-30-6)			X										N/A		
44B. Phenanthrene (85-01-8)			X										N/A		
45B. Pyrene (129-00-0)			X										N/A		
46B. 1,2,4-Trichlorobenzene (120-82-1)			X										N/A		
GC/MS FRACTION – PESTICIDES															
1P. Aldrin (309-00-2)			X										N/A		
2P. α-BHC (319-84-6)			X										N/A		
3P. β-BHC (319-85-7)			X										N/A		
4P. γ-BHC (58-89-9)			X										N/A		
5P. δ-BHC (319-86-8)			X										N/A		
6P. Chlordane (57-74-9)			X										N/A		
7P. 4,4'-DDT (50-29-3)			X										N/A		
8P. 4,4'-DDE (72-55-9)			X										N/A		
9P. 4,4'-DDD (72-54-8)			X										N/A		
10P. Dieldrin (60-57-1)			X										N/A		
11P. α-Enosulfan (115-29-7)			X										N/A		
12P. β-Endosulfan (115-29-7)			X										N/A		
13P. Endosulfan Sulfate (1031-07-8)			X										N/A		
14P. Endrin (72-20-8)			X										N/A		
15P. Endrin Aldehyde (7421-93-4)			X										N/A		
16P. Heptachlor (76-44-8)			X										N/A		

CONTINUE ON PAGE V-9

EPA I.D. NUMBER (*copy from Item 1 of Form 1*)	OUTFALL NUMBER
MDR000004689	001

CONTINUED FROM PAGE V-8

1. POLLUTANT AND CAS NUMBER (*if available*)	2. MARK "X"			3. EFFLUENT							4. UNITS		5. INTAKE (*optional*)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (*if available*)		c. LONG TERM AVRG. VALUE (*if available*)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
GC/MS FRACTION – PESTICIDES (*continued*)															
17P. Heptachlor Epoxide (1024-57-3)			X										N/A		
18P. PCB-1242 (53469-21-9)			X										N/A		
19P. PCB-1254 (11097-69-1)			X										N/A		
20P. PCB-1221 (11104-28-2)			X										N/A		
21P. PCB-1232 (11141-16-5)			X										N/A		
22P. PCB-1248 (12672-29-6)			X										N/A		
23P. PCB-1260 (11096-82-5)			X										N/A		
24P. PCB-1016 (12674-11-2)			X										N/A		
25P. Toxsphene (8001-35-2)			X										N/A		

ATTACHMENT E

Maryland Department of Environment
Water Management Administration
Compliance Program - Western Division
33 W Franklin St, Ste 302, Hagerstown, MD 21742
301-665-2850

Field Inspection Report by: Oladapo John

Media Type(s): NPDES Industrial Minor Surface Water

Inspection Date: August 8, 2012

Site Name: National Archives & Records Administration

Facility Address: 8601 Adelphi Rd, College Park, MD 20740

County: Prince George's County

NPDES Industrial Minor Surface Water

Permit / Approval Numbers: 09-DP-2904/MD0065871

Site Status: Active

Site Condition: Noncompliance
Contact(s):
Lawrence M. Holley Sr. – NARA Representative
Jim Craig – MDE
Walter D. Hayes – LB&B Program Manager
Jonathan Mack – LB&B Safety/QA Manager
Ivan W. Austin – LB&B Chief Engineer
Recommended Action: Additional Investigation Required, Continue Routine Investigation

Inspection Reason: Violation Follow-up

Evidence Collected:
Visual Observation

Inspection Findings:
This date, Mr. Jim Craig of MDE and I made a follow-up inspection at the above facility to determine the compliance status of the industrial discharge permit associated with the site. Mr. Jonathan Mack of LB&B met us at the security post; we advised him of our visit and later followed him to his office. While there, we reviewed the DMR for the 2nd quarter of 2012, he further advised LB&B already mailed a copy to our Baltimore office. After the review, we noticed the following excursions for both Zinc and Copper. Mr. Jonathan advised LB&B will have a meeting with NALCO the following day to iron out the issue. In the interim I recommend NARA to submit a letter or report within the next five business days identifying excursions, what caused it and what might be done to prevent future occurrence.

Mr. Ivan Austin, the engineer also of LB&B joined us on an inspection of the cooling tower and the blow down trend. Mr. Austin advised the facility now discharge combination of both city and well water between 25,000 – 40,000 gallons through outfall 001 everyday. Visual observation at the time of this inspection, show no form of discharge at outfall 001 today. I requested for the field notes showing the weather condition, the daily flow, time and date, Mr. Austin advised apart from the daily flow reading from the meter, all other measurements and records are made by NALCO representative once every month. I advised the facility to invest in measuring equipments (Ph, DO and Chlorine meters) especially with the above mention excursions values.

Inspection Date: August 8, 2012
Site Name: National Archives & Records Administration
Facility Address: 8601 Adelphi Rd, College Park, MD 20740

The permit (Pages 5-8) states that within three months of effective date of the permit, the permittee should submit to MDE a plan to evaluate the wastewater toxicity at the outfall 001 by using biomonitoring index. The compliance program has not yet receive this plan with over 2 years into the permit.

After conducting this inspection meeting with the permitee and their contractor, and reviewing the approved permit, the following items must be completed to bring the facility into compliance.

- Address the excursions issues (Copper and Zinc) and submit the reason within 5 business days of receiving this report.
- Create and maintain field note showing time and date, daily flow rate. During periodical blow down (cleaning the cooling tower) monitor and record the following physiochemical parameters (DO, Ph, and Residual Chlorine) and include all information outlined in the permit.
- The compliance program requires the permitee and contractor to submit name and Address of laboratory for our record purpose.
- Conduct and submit a wastewater toxicity plan using Biomonitoring index.

STATE LAW PROVIDES FOR PENALTIES FOR VIOLATIONS OF MARYLAND ENVIRONMENTAL ARTICLE TITLE 9. THE MARYLAND DEPARTMENT OF THE ENVIRONMENT MAY SEEK PENALTIES FOR THE AFORMENTIONED VIOLATIONS OF TITLE 9 ON THIS SITE

NPDES Industrial Minor Surface Water - Inspection Checklist

Inspection Item	*Status*	*Comments*
1. Does the facility have a discharge permit? [Environment Article §9-323a(1-3)]	No Violations Observed	
2. Is the discharge permit current? Has facility applied for renewal? [Environment Article §9-328a(1)]	No Violations Observed	
3. Is the facility as described in the current permit? Are treatment processes as described in the current permit? [COMAR 26.08.04.01.01B(4)]	Out of Compliance	The treatment process is not in compliance with the current permit
4. Has notification been submitted about any new, different or increased discharges? [40 CFR Part 122 Subpart C Section 122.42.b(1-3)]	No Violations Observed	
5. Is the number and location of discharge points as described in the discharge permit? [Environment Article §9-3314]	No Violations Observed	
6. Has permittee submitted correct name and address of receiving waters? [40 CFR 122.21.j(3)]	No Violations Observed	
7. Is the permittee meeting the compliance schedule per permit requirements? [COMAR 26.08.04.02-1.02-1A(3)]	No Violations Observed	
8. Has the operator or superintendent been certified by the Board in the appropriate classification for the facility? [COMAR 26.06.01.05A(1)]	No Violations Observed	
9. Are adequate records being maintained for the sampling date, time, and exact location; analysis dates and times; individual performing analysis; and analytical results? [COMAR 26.08.04.03.03B(3)(a, b, c, e)]	Out of Compliance	Adequate records and field notes are not maintained for the sampling date, time and exact location

Inspection Date: August 8, 2012
Site Name: National Archives & Records Administration
Facility Address: 8601 Adelphi Rd, College Park, MD 20740

NPDES Industrial Minor Surface Water - Inspection Checklist

Inspection Item	*Status*	*Comments*
10. Are adequate records being maintained for the analytical methods/techniques used? [COMAR 26.08.04.03.03B(3)(d)]	Out of Compliance	Adequate records are not maintained for analytical methods/techniques used
11. Does the permittee retained a minimum of 3 years worth of monitoring records including raw data and original strip chart recordings; calibration and maintenance records; and reports? [COMAR 26.08.04.03.03B(1)]	No Violations Observed-Violation Trend Observed	
12. Is the lab and monitoring equipment being properly calibrated and maintained? Are they keeping records to reflect this? [Environment Article §9-3313]	Not Evaluated	
13. Is laboratory controls and appropriate quality assurance procedures properly operated and maintained? [40 CFR Part 122 Subpart C Section 122.41.e]	Not Evaluated	
14. Has the permittee submitted the monitoring results on the proper Discharge Monitoring Report form? [COMAR 26.08.04.03.03C(1)]	No Violations Observed	Permitee is currently going through DMR approval
15. Has the permittee submitted these results within the allotted time? [COMAR 26.08.04.03.03C(2)]	No Violations Observed	
16. Are discharge monitoring reports complete and reflect permit conditions? [COMAR 26.08.04.03B(3)]	Out of Compliance	DMR's does not reflect the permit conditions
17. Is the facility being properly operated and maintained including:(a) stand-by power or equivalent provisions available, (b) adequate alarm system for power or equipment failure available, (c) all treatments units are in service, . [40 CFR Part 122 Subpart C Section 122.41.e]	Not Applicable	
18. Is sewage sludge managed correctly per permit requirements? [COMAR 26.04.06.03.03]	Not Applicable	
19. Any by-pass since last inspection? Has permittee submitted notice of any by-pass? [40 CFR Part 122 Subpart C Section 122.41.m(4)(i)(C)]	Not Applicable	
20. Any non-complying discharges experienced since last inspection? Has regulatory agency been notified? [40 CFR Part 122 Subpart C Section 122.41.l(6)]	Not Evaluated	
21. Have overflows occurred since the last inspection? [COMAR 26.08.10.02A]	Not Applicable	
22. Has records of overflows been maintained at the facility for at least five years? [COMAR 26.08.10.06A-B]	Not Applicable	

Inspection Date: August 8, 2012
Site Name: National Archives & Records Administration
Facility Address: 8601 Adelphi Rd, College Park, MD 20740

NPDES Industrial Minor Surface Water - Inspection Checklist

Inspection Item	*Status*	*Comments*
23. Are flow measuring devices properly installed and operated, calibration frequency of flow meter adequate, flow measurement equipment adequate to handle expected ranges of flow? [40 CFR Part 122 Subpart C Section 122.41.e]	Not Evaluated	
24. Are discharge monitoring points adequate for representative sampling? Do parameters and sampling frequency meet the minimum requirements? Does the permittee use the method of sample collection required by the permit? [Environment Article §9-331(4)]	Out of Compliance	The parameter sampling does not meet the minimum requirements
25. Are analytical testing procedures approved by EPA? If alternate analytical procedures are used, proper approval has been obtained? [COMAR 26.08.01.02B(1)]	Out of Compliance	Adequate records and field notes are not maintained for the sampling date, time and exact location
26. Has the permittee notified the Department of the name and address of the commercial laboratory? [COMAR 26.08.04.03.03A(3)]	No Violations Observed	
27. Were discharges observed at the authorized outfalls? Does the facility have any unauthorized discharges to waters of the State? [Environment Article §9-322]	No Violations Observed	
28. Does the discharges or receiving waters have any visible pollutants (oil sheen, grease, turbidity, foam, floating solids, color), odor, noncompliant DO concentrations, and/or noncompliant temperature ranges? [Environment Article §9-314b(1)]	No Violations Observed	
29. Were discharge samples collected? [Environment Article §9-261c(1)]	No Violations Observed	
30. Is the facility required to have a storm water pollution prevention plan? Has storm water pollution prevention plan been developed and implemented as required? Does storm water pollution prevention plan require modifications to prevent runoff of pollutants? [40 CFR Part 122 Subpart B Section 122.26.c(1)(I)(A-B)]	No Violations Observed	
31. Are the permit conditions being met? [Environment Article §9-326a(1)]	Out of Compliance	Permit conditions are not being met

Inspector: _____
Oladapo John

Received by: _____

ATTACHMENT F

MARYLAND DEPARTMENT OF THE ENVIRONMENT
1800 Washington Boulevard • Baltimore MD 21230
410-537-3000 • 1-800-633-6101 • www.mde.maryland.gov

Scott Baylan

JUN 18 2014

Mr. Lawrence M. Holley Sr.
Facility Manager, Archives II BFF
National Archives and Records Administration
8601 Adelphi Road
College Park, Maryland 20740

Re: Whole Effluent Toxicity (WET) Test Results for NPDES Permit MD00065871 and State Permit 09DP-2904 -National Archives and Records Administration

Dear Mr. Holley:

You are receiving this letter to inform you that the WET testing results for the third and fourth quarters of 2013 for the above permit have not been received by the Maryland Department of the Environment (the Department). As you are aware, the submission of these WET test results is required by Special Condition K of the above permit.

In April of 2013, the Department received and accepted a Biomonitoring Study Plan from the National Archives and Records Administration submitted by you. This plan was designed to evaluate wastewater toxicity at Outfall 001 using quarterly chronic WET testing for one year. However to date, the Department has received only 2 sets of chronic WET tests results. The first set of WET tests conducted in April of 2013 indicated that the effluent from Outfall 001 was acutely and chronically toxic to the Ceriodaphnia dubia (cladoceran) and chronically toxic to the Pimephales promelas (fathead Minnow). The LC50 and IC25 for the cladoceran was 70.7% and 5.6% respectively and the IC 25 for the minnow was 10.1%. In addition, the results from a second set of WET tests performed during the 1st quarter of 2014 were received, which did not show toxicity. However, WET test results for the 3rd and 4th quarters of 2013 were not received as specified by testing schedule in your Biomonitoring Study Plan.

Because of the severe toxicity exhibited in the first set of WET tests, further biomonitoring evaluation is required. A minimum of two sets of quarterly chronic WET tests must still be performed. The first set of tests must be initiated within 60 days of the receipt of this letter and the second set in the following quarter.

Samples for WET testing must be collected from the permit-designated monitoring point and *should* be planed and collected during periods that best represent the facility's routine operations, that is, times when the effluent sample matrix is representative of the operational waste streams associated with the facility.

Please submit completed whole effluent toxicity (WET) test reports to the Maryland Department of the Environment, Water Management Administration, Compliance Program, Suite 420 at the above address within 30 days of the completion of each set of tests. If your WET testing contractor or you have questions regarding your Biomonitoring Program please contact me at 410-537-3607 or at ron.wicks@maryland.gov.

Sincerely,

Ronald Wicks

Ronald Wicks, M.S.
Biomonitoring Coordinator
Water Management Administration
Compliance Program

ATTACHMENT G

MARYLAND

m r land gov

Biomonitoring and Copper and Zinc levels.

James Craig -MDE- <james.craig@maryland.gov> Thu, Mar 6, 2014 at 5:47 PM
To: Lawrence Holley <lawrence.holley@nara.gov>
Cc: Scott Boylan -MDE- <scott.boylan@maryland.gov>, Ron Wicks -MDE- <ron.wicks@maryland.gov>, Oladapo John -MDE- <oladapo.john@maryland.gov>

Good afternoon Mr. Holley,

I just wanted to touch base with you as we near the "cooling season" and you will be engaging the AC units once again. As we talked about in the Fall, your new system to remove the elevated levels of copper and zinc has been installed. However, since you weren't cooling, you were obviously unable to test the system. When you have the system up and running, please collect samples of your first few blow downs and supply me with a copy of your lab results.

In addition, your permit required some biomonitoring to take place. Your office had submitted the biomonitoring plan and the first set of results to me. As of today, we are missing the results from the last two quarters of 2013 and the first quarter of 2014. Our Sanitarian has been cc'ed on this email as he will be the person analyzing the results.

Once again, thank you for your cooperation and I look forward to hearing from you. Please do not hesitate to get a hold of with any questions and concerns you may have,

Jim

–

Jim Craig, LEHS, District Manager
Water Management Administration
Compliance Program - Western Division
91 Eastern Blvd.
Hagerstown, MD 21740
james.craig@maryland.gov
301.665.2881 (Office)
301.665.2848 (fax)

ATTACHMENT H

MARYLAND

E- jam , cr ig

Bio-monitoring Results for 2013

James Craig -MDE- <james.craig@maryland.gov> Fri, Apr 11, 2014 at 1:45 PM
To: Lawrence Holley <lawrence.holley@nara.gov>
Bcc: Scott Boylan -MDE- <scott.boylan@maryland.gov>, Ron Wicks -MDE- <ron.wicks@maryland.gov>

Mr. Holley,

I have forwarded the bio-monitoring report for the first quarter of 2014 to our sanitarian/engineer for review. He is also asking for the bio-monitoring reports for the 3rd and 4th quarters of 2013 so that he can make a more comprehensive review of the site and satisfy his EPA requirements and other reporting requirements. In addition, he'd like any correspondence you might have as to how National Archives handles it bio-monitoring program? This may include procedures, explanations, etc. That information is also necessary for his EPA report.

Lastly, please provide me with copies of the first couple of lab results from sampling the 'blow-down' discharge so that we can see the efficiency of the newly install equipment at removing the Zn and Cu from the discharge.

Thanks again and please don't hesitate to call if you have any questions,

Jim

Jim Craig, LEHS, District Manager
Water Management Administration
Compliance Program - Western Division
91 Eastern Blvd.
Hagerstown, MD 21740
james.craig@maryland.gov
301.665.2881 (Office)
301.665.2848 (fax)

ATTACHMENT I

MARYLAND DEPARTMENT OF THE ENVIRONMENT
1800 Washington Boulevard • Baltimore MD 21230
410-537-3000 • 1-800-633-6101 • www.mde.maryland.gov

Scott Boylan

Martin O'Malley
Governor

Anthony G. Brown
Lieutenant Governor

SEP 15 2014

Robert M. Summers, Ph.D.
Secretary

Mr. Lawrence M. Holley Sr.
Facility Manager,
Archives II BFF
National Archives and Records Administration
8601 Adelphi Road
College Park, Maryland 20740

Re: Whole Effluent Toxicity (WET) Test Results for NPDES Permit MD00065871 and State Permit 09DP-2904 -National Archives and Records Administration

Dear Mr. Holley:

The Maryland Department of the Environment (the Department) has received the results of the 2014 chronic WET testing collected at Outfall 001 from the above facility. The results of the testing conducted in the second quarter of 2014 indicate that the effluent from Outfall 001 was chronically toxic to the Pimephales promelas (fathead minnow). The IC25 for the fathead minnow was 57%. The results of the third quarter testing indicate that the effluent from Outfall 001 was chronically toxic to both the fathead minnow and the Ceriodaphnia dubia (cladoceran). The IC25 for the fathead minnow was 67.9% and 40.9% for the cladoceran.

Special Condition I.K.10 of the above permit states that if the test results of any two consecutive valid toxicity tests conducted within any 12-month period show acute or chronic toxicity, the permittee shall repeat the test within 30 days to confirm the findings of acute or chronic toxicity. Therefore, the National Archives and Records Administration must within 30 days of the receipt of this letter conduct another chronic toxicity test. The samples used for the chronic WET testing shall be collected at the same time and location as the samples analyzed for the effluent limitations and monitoring requirements for Outfall 001. Finally, samples for WET testing should be planed and collected during periods that best represent the facility's routine operations, that is, times when the effluent sample matrix is representative of the cooling tower's operational waste streams.

If you have questions or comments regarding your Biomonitoring Program, please contact me at 410-537-3607 or at ron.wicks@maryland.gov

Regards,

Ronald A. Wicks

Ronald A. Wicks, M.S.
Biomonitoring Coordinator